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## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### CHAPTER I—AGRICULTURAL MARKETING SERVICE

##### PART 58—BEANS AND PEAS (INSPECTION AND CERTIFICATION)

###### AMENDMENT

By virtue of the authority vested in the Secretary of Agriculture by the Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, approved June 25, 1940 (54 Stat. 532), Part 58, Chapter I, Title 7, Code of Federal Regulations, is hereby amended as follows, to become effective on the 15th day of January 1941:

Change paragraph (e), § 58.2 to read as follows:

###### § 52.8 Terms defined.

(e) *Beans and Peas.* Beans and peas shall include dry edible beans; dry peas; split-peas; cowpeas; lentils; chickpeas or Garbanzos; and similar dry leguminous seeds used for food, feed, or manufacturing purposes, but shall not include soybeans.

Done at Washington, D. C., this 13th day of January 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL]      GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 41-318; Filed, January 14, 1941;  
11:08 a. m.]

### TITLE 16—COMMERCIAL PRACTICES

#### CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 4287]

##### PART 3—DIGEST OF CEASE AND DESIST ORDERS

###### IN THE MATTER OF PREMIUM CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc.,

in connection with offer, etc., in commerce, of candy or other merchandise, candy or any merchandise so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Premium Candy Company, Docket 4287, December 28, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with push or pull cards, punch boards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Premium Candy Company, Docket 4287, December 28, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, any merchandise by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Premium Candy Company, Docket 4287, December 28, 1940]

*In the Matter of Joe L. Thompson, Individually and Trading as Premium Candy Company*

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 28th day of December, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and respondent having subsequently

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waived the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered*, That the respondent, Joe L. Thompson, individually and trading as Premium Candy Company, or trading under any other name or names, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling and distributing candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme.

(2) Supplying to or placing in the hands of others push or pull cards, punch boards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon him of this order file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

A. N. Ross,  
Acting Secretary.

[F. R. Doc. 41-343; Filed, January 14, 1940; 11:28 a. m.]

[Docket No. 4296]

### PART 3—DIGEST OF CEASE AND DESIST ORDERS

#### IN THE MATTER OF CUMBERLAND CANDY COMPANY, ETC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, any merchandise so packed and assembled that sales thereof to the public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Cumberland Candy Company, etc., Docket 4296, December 28, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with assortments of any merchandise, together with push or pull cards, punch boards or other lottery devices, or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Cumberland Candy Company, etc., Docket 4296, December 28, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, any merchandise by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Cumberland Candy Company, etc., Docket 4296, December 28, 1940]

#### In the Matter of Harry Yates, Trading as Cumberland Candy Company and Dixie Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of December, A. D. 1940.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission, and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has

<sup>1</sup> 5 F.R. 4721.



violated the provisions of the Federal Trade Commission Act.

It is ordered, That the respondent Harry Yates, individually and trading under the names Cumberland Candy Company and Dixie Candy Company or trading under any other name or names, his representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed and assembled that sales of such merchandise to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others assortments of any merchandise together with push or pull cards, punch boards, or other lottery devices, or separately, which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

A. N. ROSS,  
Acting Secretary.

[F. R. Doc. 41-344; Filed, January 14, 1941;  
11:28 a. m.]

[Docket No. 4377]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### IN THE MATTER OF E. BIERHAUS & SONS

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, any merchandise so packed and assembled that sales thereof to the public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, E. Bierhaus & Sons, Docket 4377, December 28, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc.,

in connection with offer, etc., in commerce, of candy or other merchandise, others with assortments of any merchandise together with push or pull cards, punch boards or other lottery devices, or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, E. Bierhaus & Sons, Docket 4377, December 28, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, any merchandise by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, E. Bierhaus & Sons, Docket 4377, December 28, 1940]

*In the Matter of Robert V. Bierhaus and Edward G. Bierhaus, Individually and Trading as E. Bierhaus & Sons*

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 28th day of December, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act,

It is ordered, That the respondents, Robert V. Bierhaus and Edward G. Bierhaus, individually and trading as E. Bierhaus & Sons, or trading under any other name or names, their representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed and assembled that sales of such merchandise to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others assortments of any merchandise together with push or pull cards, punch boards or other lottery devices, or

separately, which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That respondents shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-345; Filed, January 14, 1941;  
11:28 a. m.]

#### TITLE 19—CUSTOMS DUTIES

##### CHAPTER I—BUREAU OF CUSTOMS

(T.D. 50309)

CALEXICO MUNICIPAL AIRPORT, CALEXICO, CALIFORNIA, REDESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR<sup>1</sup>

JANUARY 10, 1941.

The Callexico Municipal Airport, Callexico, California, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from January 10, 1941. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 41-309; Filed, January 13, 1941;  
3:33 p. m.]

#### TITLE 28—JUDICIAL ADMINISTRATION

##### CHAPTER I—DEPARTMENT OF JUSTICE

##### PART 10—REGISTRATION OF CERTAIN ORGANIZATIONS CARRYING ON ACTIVITIES WITHIN THE UNITED STATES

###### REGISTRATION STATEMENT

- |      |   |
|------|---|
| Sec. |   |
| 10.1 | Form of registration statement.                 |
| 10.2 | Language of statement.                          |
| 10.3 | Effect of acceptance of registration statement. |
| 10.4 | Date of filing.                                 |
| 10.5 | Incorporation of papers previously filed.       |
| 10.6 | Necessity for further registration.             |
| 10.7 | Cessation of activity.                          |

<sup>1</sup> This document affects the tabulation in 19 CFR 4.13.



## SUPPLEMENTAL REGISTRATION STATEMENT

Sec.

- 10.8 Information to be kept current.  
10.9 Requirements for supplemental registration statement.

## INSPECTION OF REGISTRATION STATEMENT

- 10.10 Public inspection.

By virtue of the authority vested in me by the Act of Congress approved October 17, 1940 (Pub. No. 870, 76th Cong.) I hereby prescribe the following rules and regulations governing the registration of certain organizations carrying on activities within the United States.

## REGISTRATION STATEMENT

§ 10.1 *Form of registration statement.* Every organization required to submit a registration statement<sup>1</sup> to the Attorney General for filing in compliance with the terms of section 2 of the Act approved October 17, 1940, entitled, "An act to require the registration of certain organizations carrying on activities within the United States, and for other purposes" (Pub. No. 870, 76th Cong.), and the rules and regulations issued pursuant thereto, shall submit such statement on such forms as are prescribed by the Attorney General. Every statement required to be filed with the Attorney General shall be subscribed under oath by all of the officers of the organization registering.\*

\*§§ 10.1 to 10.10 inclusive issued under the authority contained in sec. 3 of the Act approved October 17, 1940, 54 Stat. 1201.

§ 10.2 *Language of registration statement.* Registration statements must be in English if possible. If in a foreign language they must be accompanied by an English translation certified under oath by the translator, before a notary public or other person authorized by law to administer oaths for general purposes as a true and adequate translation. The statements, with the exception of signature, must be typewritten if practicable

<sup>1</sup>Filed as a part of the original document. Copies may be obtained from the Department of Justice.

but will be accepted if written legibly in ink.\*

§ 10.3 *Effect of acceptance of registration statement.* Acceptance by the Attorney General of a registration statement submitted for filing shall not necessarily signify a full compliance with the said Act on the part of the registrant, and such acceptance shall not preclude the Attorney General from seeking such additional information as he deems necessary under the requirements of the said Act, and shall not preclude prosecution as provided for in the said Act for a false statement of a material fact, or the wilful omission of a material fact required to be stated therein, or necessary to make the statements made not misleading.\*

§ 10.4 *Date of filing.* The date on which a registration statement properly executed is accepted by the Attorney General for filing shall be considered the date of the filing of such registration statement pursuant to the said Act. All statements must be filed not later than thirty days after January 15, 1941.\*

§ 10.5 *Incorporation of papers previously filed.* Papers and documents already filed with the Attorney General pursuant to the said Act and regulations issued pursuant thereto may be incorporated by reference in any registration statement subsequently submitted to the Attorney General for filing, provided such papers and documents are adequately identified in the registration statement in which they are incorporated by reference.\*

§ 10.6 *Necessity for further registration.* The filing of a registration statement with the Attorney General as required by the Act shall not operate to remove the necessity for filing a registration statement with the Secretary of State as required by the Act of June 8, 1938 (52 Stat. 631) entitled "An Act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes," as amended by the Act approved August 7, 1939 (Public, No. 319,

76th Cong. 1st session,) or for filing a notification statement with the Secretary of State as required by the Act of June 15, 1917 (40 Stat. 226).\*

§ 10.7 *Cessation of activity.* The chief officer or other officer of the registrant organization must notify the Attorney General promptly upon the cessation of the activity of the organization, its branches, chapters, or affiliates by virtue of which registration has been required pursuant to the Act.\*

## SUPPLEMENTAL REGISTRATION STATEMENTS

§ 10.8 *Information to be kept current.* A supplemental statement must be filed with the Attorney General within thirty days after the expiration of each period of six months succeeding the original filing of a registration statement. Each supplemental statement must contain information and documents as may be necessary to make information and documents previously filed accurate and current with respect to the preceding six months' period.\*

§ 10.9 *Requirements for supplemental registration statement.* The rules and regulations heretofore set forth with respect to registration statements submitted to the Attorney General under section 2 of the said Act shall apply with equal force and effect to supplemental registration statements required thereunder to be filed with the Attorney General.\*

## INSPECTION OF REGISTRATION STATEMENTS

§ 10.10 *Public inspection.* Registration statements filed with the Attorney General pursuant to the said Act will be available for public inspection in the Department of Justice, Washington, D. C., during all business hours from 9 A. M. to 4:30 P. M. on each business day except Saturday, and from 9 A. M. to 1 P. M. on Saturdays.\*

ROBERT H. JACKSON,  
Attorney General.

Approved: January 10, 1941.

[F. R. Doc. 41-310; Filed, January 13, 1941; 3:40 p. m.]



## TITLE 46—SHIPPING

CHAPTER I—BUREAU OF MARINE  
INSPECTION AND NAVIGATION

(Order No. 74)

SUBCHAPTER N—EXPLOSIVES OR OTHER  
DANGEROUS ARTICLES OR SUBSTANCES, AND  
COMBUSTIBLE LIQUIDS ON BOARD VESSELSPART 146—TRANSPORTATION OR STORAGE OF  
EXPLOSIVES OR OTHER DANGEROUS ARTICLES  
OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS  
ON BOARD VESSELS

*The table of contents, preface, general regulations, definitions, list of articles, shipper's and vessel's requirements, regulations relative to railroad and highway vehicles loaded with dangerous substances and transported on board vessels, cargo handling and storage devices, and barges, appeared in the issue for January 11, 1941, beginning at page 254.*

*The detailed regulations governing explosives and inflammable liquids appeared in the issue for January 14, 1941, beginning at page 303.*

DETAILED REGULATIONS GOVERNING INFLAM-  
MABLE SOLIDS AND OXIDIZING MATERIALS

§ 146.22-1 *Definition of inflammable solids and oxidizing materials.* An inflammable solid and an oxidizing material are defined by the ICC Regulations as set forth in §§ 146.22-2 and 146.22-3 herein and such definitions are binding upon all shippers making shipments of inflammable solids and oxidizing materials by common carrier vessels engaged in interstate or foreign commerce by water. These definitions are accepted and adopted and form part of the regulations in this part applying to all shippers making shipments of inflammable solids and oxidizing materials by any vessel, and shall apply to the owners, charterers, agents, master, or other person in charge of a vessel and to other persons, transporting, carrying, conveying, storing, stowing or using inflammable solids or oxidizing materials on board any vessel, subject to R. S. 4472, as amended, and the provisions of the regulations in this part.\*

§ 146.22-2 *Inflammable solids defined.* An inflammable solid is a solid substance other than one classified as an explosive, which is liable, under conditions incident to transportation, to cause fires through friction, through absorption of moisture, or through spontaneous chemical changes.\*

§ 146.22-3 *Oxidizing materials defined.* An oxidizing material is a substance such as a chlorate, permanganate, peroxide, or a nitrate, that yields oxygen readily to stimulate the combustion of organic matter.\*

§ 146.22-4 *Stowage on board vessels.* All inflammable solids and oxidizing materials offered for transportation on board vessels shall, when taken on board

a vessel, be stowed in accordance with the provisions applying to the particular character of vessel as shown in the tables forming § 146.22-100, and with the detailed regulations of stowage.\*

§ 146.22-5 *Limitation of "On deck" stowage.* When "On deck in open" stowage is permitted for any substance by § 146.22-100 it shall apply only to the water-tight containers in which such substances are packed.\*

§ 146.22-6 *Mixed stowages of oxidizing materials.* The stowage of bichromates, chlorates, perchlorates, nitrates, and peroxides with explosives and other dangerous articles or substances shall conform to the following conditions:

(a) These substances shall not be stowed in the same compartment or hold in which explosives are stowed.

(b) These substances shall not be stowed in the same compartment or hold in which acids and other corrosive liquids (white label) are stowed.

(c) These substances shall not be stowed in the same compartment or hold in which inflammable liquids (red label) are stowed.

(d) These substances shall not be stowed in the same compartment in which cotton, sulfur in bulk, or charcoal are stowed, nor shall they be stowed in a hold over or under one in which sulfur in bulk is stowed.

(e) These substances shall not be stowed in proximity to readily combustible materials such as textile products or finely divided substances such as organic powder, etc.\*

§ 146.22-7 *Stowage of charcoal.* In the stowage of charcoal the following conditions shall be complied with:

(a) Before stowing charcoal the compartment or hold in which the charcoal is to be stowed shall be swept broom clean. Any residue of a former cargo, such as and including products of petroleum, vegetable or animal oils, nitrate, or sulfur, shall be carefully cleaned up and the charcoal protected by clean dunnage from coming in contact with any such residue.

(b) Charcoal packed in bags and offered for transportation aboard vessels in quantities of more than one ton shall be so loaded that the bags are laid horizontally and so packed that there will be space for efficient air circulation. If the bags are not compactly filled and closed so as to avoid free space within, dunnage strips shall be laid between the bags both vertically and horizontally. Space for ventilating shall be maintained in the way of bulkheads, the shell of the vessel, the under deck, and the overhead deck.

When stowage space permits, not more than 40 tons of charcoal shall be stowed in any one compartment or hold. If the arrangements of hold space require the stowage of larger tonnage, the arrangement for ventilating should be increased to assure sufficient venting effect.

(c) Broken bags shall be refused and loose material from broken bags accumulating in the hold during loading shall be removed. Bags may be repacked or have new closing means provided and then stowed.

(d) Charcoal "Screenings" packed in bags shall be so stowed as to provide spaces for air circulation between tiers regardless of the quantity being transported.\*

§ 146.22-8 *Limited quantity shipments.* (a) Inflammable Solids and Oxidizing Materials in inner containers not over 1 pound net weight each in outside containers not exceeding 25 pounds net weight each are exempt from specification packaging and labeling requirements unless otherwise provided.

(b) Inflammable Solids and Oxidizing Materials total weight not over 16 ounces in any outside package unless otherwise provided are exempt from specification packaging and labeling requirements.

(c) Such limited quantity shipments may be accepted on board all vessels subject to the regulations in this part provided the bill of lading or other shipping paper correctly describes the article in accordance with the true name as shown in the commodity list. Stowage shall be "On deck under cover" or "Tween decks" in a compartment not subject to artificial heat.

(d) The provisions of (a) and (b) herein do not extend to shipments of the following Inflammable Solids and Oxidizing Materials:

Bags, nitrate of soda, empty and unwashed.  
Benzoyl peroxide.  
Burnt cotton.  
Calcium chlorite.  
Calcium phosphide.  
Charcoal, wood, screenings.  
Coal, ground bituminous, sea coal and coal facings.  
Cobalt resinate, precipitated.  
Cotton waste, oily.  
Fiber, burnt.  
Fibers or fabrics, oily.  
Fish scrap or fish meal.  
Hair, wet.  
Iron sponge.  
Matches, strike-anywhere.  
Motion-picture film (exposed) and motion-picture film scrap (nitrocellulose base).  
Motion-picture film, old and worn out (nitrocellulose base).  
Paper stock, wet.  
Paper waste, wet.  
Phosphoric anhydride.  
Phosphorus amorphous, red.  
Phosphorus pentachloride.  
Phosphorus, white or yellow.  
Photographic film scrap.  
Picric acid, wet, exceeding 16 ounces.  
Potassium metallic.  
Pyroxylin plastic scrap.  
Rags, oily.  
Rags, wet.  
Sodium chlorite.  
Sodium metallic.  
Sodium peroxide.  
Sodium picramate.  
Spent iron mass or spent iron sponge.  
Spent oxide.  
Tankage, garbage, tankage, fertilizers.  
Tankages, rough ammoniate.  
Textile waste, wet.  
Wool waste, wet.  
X-ray film (exposed) and X-ray film scrap (nitrocellulose base).  
Zirconium metallic, dry, wet or sludge.  
Zirconium picramate.

\*For statutory authority, see note following § 146.01-1 (6 F.R. 255).



§ 146.22-100 Classification: Table E—Inflammable Solids and Oxidizing Materials

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Aluminum nitrate Ammonium bichromate	Orange-red odorless crystals.  Soluble in water.  Decomposed by heat. Will render organic substances easily inflammable. Do not breathe air laden with dust of this material. Stow separate from all acids (white label).	Yellow	See: "Nitrates." Stowage: "On deck in open." "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Steel barrels or drums: (ICC-6A), not over 55 gal. cap. (ICC-6B, 6C), not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C), not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22B) WIC, not over 150 lbs. gr. wt. See: "Nitrates." See: "Perchlorates." See: "Permanganates."	Stowage: "On deck in open." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A), not over 55 gal. cap. (ICC-6B, 6C), not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C), not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22B) WIC, not over 150 lbs. gr. wt.	Ferry storage (AA).....  Ferry storage (BB).  Outside containers: Steel barrels or drums: (ICC-6A), not over 55 gal. cap. (ICC-6B, 6C), not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C), not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22B) WIC, not over 150 lbs. gr. wt.
Ammonium nitrate Ammonium perchlorate Ammonium permanganates	In accepting shipments, observe outside containers carefully for signs of leakage. Refuse packages showing leakage or signs of having leaked.  Stow well away from all metals, metallic powders, finely divided organic materials, lime, potash, soda or any chlorates, nitrates or other oxidizing materials.  Do not stow with explosives or acids (white label). Do not stow adjacent to living quarters.	Red	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Stout wooden boxes, WIC, the net weight in any one outside package shall not exceed 16 ounces dry weight. Note: It is not required that the above containers be ICC specification containers, although ICC specification containers are acceptable, but the officer in charge of loading the vessel shall satisfy himself they are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, leakage or an inability to properly contain the substance.	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Stout wooden boxes, WIC, the net weight in any one outside package shall not exceed 16 ounces dry weight. Note: It is not required that the above containers be ICC specification containers, although ICC specification containers are acceptable, but the officer in charge of loading the vessel shall satisfy himself they are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, leakage or an inability to properly contain the substance.	Ferry storage (AA).....  Ferry storage (BB).  Outside containers: Stout wooden boxes, WIC, the net weight in any one outside package shall not exceed 16 ounces dry weight. Note: It is not required that the above containers be ICC specification containers, although ICC specification containers are acceptable, but the officer in charge of loading the vessel shall satisfy himself they are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, leakage or an inability to properly contain the substance.
Bags, nitrate of soda, empty and unwashed.	Burlap or other fiber bags used for shipment of nitrate of soda.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) not over 600 lbs. net wt. Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) not over 400 lbs. gr. wt. See: "Burlap bags, used and washed" in Hazardous Articles table.	Not permitted.	Not permitted.
Bags, Nitrate of Soda, Empty and Washed.	Burlap or other fiber bags used for shipment of nitrate of soda, when properly washed with water.		Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) not over 600 lbs. net wt. Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) not over 400 lbs. gr. wt. See: "Burlap bags, used and washed" in Hazardous Articles table.	See: "Burlap bags, used and washed" in Hazardous Articles table.	See: "Burlap bags, used and washed" in Hazardous Articles table.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Barium chlorate. Barium chlorate, wet. Barium nitrate. Barium perchlorate. Barium permanganate. Barium peroxide. Barium dioxide. Barium dioxide.	A heavy grayish-white powder. Mixed with organic material or finely divided metals, it is dangerously combustible and may be ignited by friction and cause spontaneous ignition of such material. Insoluble in water. Poisonous if taken internally. Stow away from foodstuffs. Stow separate from all combustible materials, explosives, or acids (white label).	Yellow.	See: "Chlorates," See: "Nitrates," See: "Perchlorates," See: "Permanganates," Stowage: "On deck under cover." Twelve decks readily accessible. Outside containers: Steel barrels or drums: (ICC-6A) not over 880 lbs. gr. (ICC-6B, 6C) not over 1,400 lbs. gr. wt. (ICC-17E, 37D) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Stowage: "On deck under cover." Outside containers: Wooden boxes, WIC (ICC-15A, 15B, 15C) not over 50 lbs. net wt.	Stowage: "On deck under cover." Outside containers: Wooden boxes, WIC (ICC-15A, 15B, 16A, 19A) not over 250 lbs. gr. wt. Stowage: "On deck under cover." Outside containers: Wooden boxes, WIC (ICC-15A, 15B) not over 50 lbs. net wt.	Ferry stowage (AA). Outside containers: Steel barrels or drums: (ICC-6A) not over 880 lbs. gr. (ICC-6B, 6C) not over 1,400 lbs. gr. wt. (ICC-17E, 37D) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Ferry stowage (BB). Outside containers: Wooden boxes, WIC (ICC-15A, 15B) not over 50 lbs. net wt.	Ferry stowage (BB). Outside containers: Steel barrels or drums: (ICC-6A) not over 880 lbs. gr. (ICC-6B, 6C) not over 1,400 lbs. gr. wt. (ICC-17E, 37D) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Ferry stowage (BB). Outside containers: Wooden boxes, WIC (ICC-15A, 15B) not over 50 lbs. net wt.
Benzoyl peroxide, dry (granular form). Note: Benzoyl peroxide shall not be considered granular if more than 25% passes through a 10-mesh sieve.	Granular form is highly inflammable. Strong supporter of combustion. Insoluble in water. Keep cool and dry. Stow separate from all combustible materials, explosives, and acids (white label). A light finely divided white crystalline powder. In dry condition it is almost as rapidly as in solution. When in powdered or crystalline form must be wet with at least 30% water by weight. Check gross weight of container to ascertain if leakage has occurred. Reject leaking containers or ones that show signs of having leaked. Caution that has been on fire and from which the burnt portions have not been removed by re-picking. The principal hazard is that the fire may rekindle.	Yellow.	Stowage: "On deck under cover." Twelve decks readily accessible. Outside containers: WIC (ICC-15A, 15B, 15C) not over 200 lbs. gr. wt.	Stowage: "On deck under cover." Outside containers: WIC (ICC-15A, 15B, 15C) not over 200 lbs. gr. wt.	Ferry stowage (BB). Outside containers: WIC (ICC-15A, 15B, 15C) not over 200 lbs. gr. wt.	Ferry stowage (BB). Outside containers: WIC (ICC-15A, 15B, 15C) not over 200 lbs. gr. wt.
Burnt cotton (not re-picked). The originating bill of lading or other shipping paper shall bear the shipper's certifying statement that the bales of cotton have not shown evidence of fire for a period of ten days. NOTE: When burnt cotton is repicked and rebaled it is not subject to this regulation and may be shipped as for "Cotton."		Yellow.	Stowage: "On deck in open." Outside containers: Shall not be accepted unless securely baled.	Not permitted.	Not permitted.	Not permitted.
Burnt fibers. Calcium chlorate. Calcium chlorite.	A strong oxidizing material in the form of crystals or crystalline powder. Soluble in water. Mixed with organic material or finely divided metals it is dangerously ignitable and may be ignited by friction or may cause spontaneous ignition of such material. Stow separate from charcoal, sulfur, sugar, flour, and similar finely divided substances. Do not stow in same compartment with explosives, acids (white label), inflammable liquids (red label) or combustible materials. Keep cool.	Yellow.	See: "Fibers, burnt, wet or damp." See: "Chlorates." Stowage: "On deck protected." "On deck under cover." "Under deck, but not over-stowed." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 140 gal. cap. (ICC-17E, 37D) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt.	Not permitted.	Not permitted.	Not permitted.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Calcium metallic	<i>A highly inflammable solid in the form of gray, hard lumps with a lustrous silver-white surface when freshly cut. Decomposes water with evolution of hydrogen. Stow separate from explosives, inflammable liquids (red label) or acids (white label) and in a well ventilated compartment. Keep dry and cool.</i>	Yellow	Stowage: "On deck under cover" "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6B, 6C) not over 55 gal. cap. (ICC-17E, 37D, 37E, 37F) gal. cap. not over 55 gal. cap. STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes: WIC (ICC-15A, 15B, 15C, 16A, 19A), not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B), not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt. See: "Nitrates." See: "Perchlorates." See: "Permanganates."	Not permitted.	Not permitted.
Calcium nitrate Calcium perchlorate Calcium permanganate Calcium peroxide	White to yellowish, odorless powder. Strong oxidizing agent. Decomposes on exposure to moist air, with acids forms hydrogen peroxide. Insoluble in water. Keep dry. Stow separate from all combustible materials, explosives and acids (white label).	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck." Outside containers: Steel barrels or drums: (ICC-6B, 6C) not over 55 gal. cap. (ICC-17E, 37D, 37E, 37F) gal. cap. not over 55 gal. cap. STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes: WIC (ICC-15A, 15B, 15C, 16A, 19A), not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.	Stowage: "On deck under cover." "Tween decks readily accessible."	Ferry stowage (AA).....  Ferry stowage (BB)  Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes: WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Calcium phosphide	Solid gray lumps. Decomposes on contact with water or damp air, generating hydrogen phosphide a spontaneously inflammable and poisonous gas. Keep absolutely dry. Stowage shall not be permitted over holds containing explosives or inflammable liquids. Do not stow in same compartment with compressed gases, inflammable liquids (red label) or acids (white label). Charcoal is an artificial carbon obtained by incomplete combustion of substances such as wood, bone, nut shells, vegetable and animal matter. It is shipped in the form of a very light black powder or in heavy grains or lumps or sticks. Cases hardening compounds are usually wood charcoal together with such energizers as sodium or barium carbonates, cyanides, etc. Keep cool and dry. Do not stow in the same compartment with explosives, inflammable liquids (red label), oxidizing materials (yellow label), or acids (white label), nor with oils or greases. Do not accept charcoal that shows signs of heat. Require a certifying statement from the shipper that the charcoal has been cooled to the air for the full shipping period of time before shipping.	Yellow	Stowage: "On deck under cover." Outside containers: Steel barrels or drums (ICC-6A, 6B, 6C), not over 55 gal. esp. Wooden boxes (ICC-15A, 15B) lined with metal and with hermetically sealed inside containers, not over 125 lbs. gr. wt.	Not permitted.	Not permitted.
Charcoal— The following requirements apply to shipments of all forms of charcoal: The original bill of lading or certificate of shipping shall bear the shipper's certifying statement that the charcoal is described by its proper shipping name as shown herein; conforms in all other respects to all of the applicable requirements as set forth in these regulations; and that the material has been prepared and packed under the conditions as set forth in the current I. C. C. regulations governing the substance.	A more or less pure, powdered or granulated form of charcoal characterized by a high absorptive capacity.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, not more than 4 bu. esp. Wooden barrels or kegs (WIC), not over 200 lbs. esp. Fiberboard boxes (WIC), not over 65 lbs. gr. wt. Siftproof paper bags or paper-lined burlap (jute) bags, not more than 2½ bu. esp.	Not permitted.	Ferry stowage (BB). Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, not more than 4 bu. esp. Wooden barrels or kegs (WIC), not over 200 lbs. gr. wt. Fiberboard boxes (WIC), not over 65 lbs. gr. wt. Siftproof paper bags or paper-lined burlap (jute) bags, not more than 2½ bu. esp.
Charcoal, animal Charcoal, bone.	These charcoals are the products of animal blood or animal bone.	No label required.	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, not more than 4 bu. esp. Unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. esp. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. esp.	Ferry stowage (AA).	Ferry stowage (BB).
Charcoal briquets.	Briquets made from wood charcoal with starch and water or tar for a binder. Such prepared charcoal no longer retains its fiery tendency, the pores being obstructed by the added material.	No label required.	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, not more than 4 bu. esp. Unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. esp. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. esp.	Ferry stowage (AA).	Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, not more than 4 bu. esp. Unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. esp. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. esp. Note: Charcoal briquets may also be accepted in bulk in railroad freight cars or highway vehicles which show no signs of sitting.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Charcoal screenings made from "pinon" wood.	Charcoal screenings consist of small pieces of charcoal carrying from about 1/8 inch in the maximum dimension to grains of dust.	No label required.	<p>Stowage: "On deck under cover." "Twelve decks readily accessible."</p> <p>Outside containers: * Unlined, burlap (jute) bags; strong, unlined cotton bags; not more than 4 bu. cap.</p> <p>* Note: Screenings made from pine wood charcoal must not be accepted for transportation unless the shipper certifies that the screenings have been stored in a dry place in loosely piled bags, freely exposed to the air, for not less than five (5) days after separation from the lump before shipment.</p> <p>Stowage: "On deck under cover." Outside containers: * Unlined burlap (jute) bags; strong, unlined cotton bags; not more than 4 bu. cap.</p> <p>* Note: Charcoal, wood screenings other than pine wood screenings must not be accepted for transportation unless the shipper certifies that the screenings have been stored in a dry place in loosely piled bags, freely exposed to the air, for not less than twenty (20) days after separation from the lump before shipment.</p>	<p>Not permitted.</p> <p>Not permitted.</p>	<p>Ferry storage (AA).....</p> <p>Ferry storage (BB).....</p> <p>Outside containers: * Unlined, burlap (jute) bags; strong, unlined cotton bags; not more than 4 bu. cap.</p> <p>* Note: Screenings made from pine wood charcoal must not be accepted for transportation unless the shipper certifies that the screenings have been stored in a dry place in loosely piled bags, freely exposed to the air, for not less than five (5) days after separation from the lump before shipment.</p> <p>Ferry storage (BB).....</p> <p>Outside containers: * Unlined burlap (jute) bags; strong, unlined cotton bags; not more than 4 bu. cap.</p> <p>* Note: Charcoal, wood screenings other than pine wood screenings must not be accepted for transportation unless the shipper certifies that the screenings have been stored in a dry place in loosely piled bags, freely exposed to the air, for not less than twenty (20) days after separation from the lump before shipment.</p>
Charcoal, wood screenings, other than "Pinon" wood screenings.		No label required.	Not permitted.	Not permitted.	Not permitted.
Charcoal screenings, wet (wet charcoal screenings shall not be offered for transportation or storage on board any vessel).	Charcoal screenings from wet charcoal, or wet screenings, or screenings which have been wetted since manufacture and not dried and exposed to the air for the required period of time. Charcoal made from coconut shells, walnut shells, corn cobs, peach pits or similar materials.	No label required.	<p>Stowage: "On deck under cover." "Twelve decks readily accessible." "Under deck away from heat."</p> <p>Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes; unlined burlap (jute) bags; not more than 4 bu. cap.</p> <p>Paper-lined burlap (jute) bags; paper bags; not more than 2 1/2 bu. cap.</p>	<p>Stowage: "On deck under cover." "Twelve decks readily accessible." "Under deck away from heat."</p> <p>Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes; unlined burlap (jute) bags; not more than 4 bu. cap.</p> <p>Paper-lined burlap (jute) bags; paper bags; not more than 2 1/2 bu. cap.</p>	<p>Ferry storage (AA).....</p> <p>Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes; unlined burlap (jute) bags; not more than 4 bu. cap.</p> <p>Paper-lined burlap (jute) bags; paper bags; not more than 2 1/2 bu. cap.</p> <p>In bulk in tight railroad freight cars or highway vehicles which show no signs of sifting.</p> <p>Not permitted.</p>
Charcoal, wet (wet charcoal shall not be offered for transportation or storage on board any vessel).	Charcoal, in any form, that is wet or that has been wetted, since manufacture and not dried and exposed to the air for the required period of time.		Not permitted.	Not permitted.	Not permitted.
Charcoal, wood, crushed, granulated, ground or pulverized.	Crushed, granulated, ground or pulverized charcoal is prepared from either lump charcoal or charcoal screenings.	Yellow.....	<p>Stowage: "On deck under cover." "Twelve decks readily accessible." "Under deck away from heat."</p> <p>Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes; unlined burlap (jute) bags; not more than 4 bu. cap.</p> <p>Wooden boxes (WIC), not over 200 lbs. gr. wt.</p> <p>Fiberboard boxes (WIC), not over 65 lbs. gr. wt.</p> <p>Siftproof paper bags or paper-lined burlap (jute) bags; not more than 2 1/2 bu. cap.</p>	<p>Not permitted.</p> <p>Not permitted.</p>	<p>Ferry storage (AA).....</p> <p>Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes; unlined burlap (jute) bags; not more than 4 bu. cap.</p> <p>Wooden boxes (WIC), not over 200 lbs. gr. wt.</p> <p>Fiberboard boxes (WIC), not over 65 lbs. gr. wt.</p> <p>Siftproof paper bags or paper-lined burlap (jute) bags; not more than 2 1/2 bu. cap.</p>



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Charcoal, wood, lump.....	Lump wood charcoal shall be dry and free from screenings and brands.	No label required.	Stowage: "On deck under cover." "Twain-decks readily accessible." "Under deck away from heat." Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. cap. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. cap.	Stowage: "On deck under cover." "Twain-decks readily accessible." "Under deck away from heat." Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. cap. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. cap. May also be accepted in bulk in tight highway vehicles which show no signs of sifting. Not permitted.	Ferry stowage (AA)..... Ferry stowage (BB). Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. cap. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. cap. May also be accepted in bulk in tight highway vehicles which show no signs of sifting. Not permitted.	Ferry stowage (BB). Outside containers: Tight wooden barrels or kegs, tight wooden boxes, fiberboard boxes, unlined burlap (jute) bags, strong, unlined cotton bags, not more than 4 bu. cap. Paper-lined burlap (jute) bags, paper bags, not more than 2½ bu. cap. May also be accepted in bulk in tight highway vehicles which show no signs of sifting. Not permitted.
	Chlorates are in the form of colorless crystals or the powder thereof and are strong oxidizing agents. Chlorates mixed with organic matter form very inflammable compositions, and frequently act as explosives. Chlorates mixed with finely divided organic material or finely divided metallic materials may be ignited by friction. All chlorates when brought in contact with sulfuric acid are liable to cause fire or explosion. Chlorates mixed with ammonium salts are liable to spontaneous decomposition and ignition. Soluble in water. Chlorates should not be stored in the same compartment with explosives, acids (white label), inflammable liquids (red label) or combustible materials such as cotton, charcoal, sulfur, etc.	Yellow.	Stowage: "On deck under cover." "Twain-decks readily accessible." Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. (ICC-6B, 6C) not over 140 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs, WIC (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 240 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 28 lbs. net wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.	Not permitted.	Not permitted.	Not permitted.
Chlorates, Wet: Barium chlorate, wet. Chlorates, N. O. S., wet. Strontium chlorate, wet. Chromic acid.....	An oxidizing material in the form of reddish-brown crystals, vapor or dust poisonous by absorption through the skin, the mucous membranes or through respiratory organs. Mixed with organic material it produces heat and frequently causes fire. Soluble in water. Do not store in same compartment with explosives, acids (white label), inflammable liquids (red label), or combustible materials. Stowages with alcohol and acetic acid are dangerous as contact with these substances may cause explosion.	Yellow.	Stowage: "On deck protected." "On deck under cover." Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 140 gal. cap. (ICC-17E, 37D, 37E) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B), not over 115 lbs. net wt.	Stowage: "On deck protected" Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B) not over 115 lbs. net wt.	Ferry stowage (AA)..... Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 140 gal. cap. (ICC-17E, 37D, 37E) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B) not over 115 lbs. net wt.	Ferry stowage (BB). Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 140 gal. cap. (ICC-17E, 37D, 37E) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-15A, 15B) not over 115 lbs. net wt.







Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car ferry, passenger or vehicle
Drugs, chemicals, medicines, or cosmetics, N. O. S. A unit substance or a compound classified as an inflammable solid or an oxidizing material in accordance with the definitions contained herein, when prepared, packed and offered to the trade as drugs, chemicals, medicines, or cosmetics. In quantity exceeding 16 ounces by weight, in glass or earthenware containers or 32 ounces in inside metal containers. When packed in accordance with ICC requirements for the particular substance, and separated and cushioned by incombustible absorbent material when the characteristics of the substances so require.		Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-8A) not over 55 gal. cap. (ICC-8B, 8C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F). Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-8A) not over 55 gal. cap. (ICC-8B, 8C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.	Ferry storage (A.A.) Outside containers: Steel barrels or drums: (ICC-8A) not over 55 gal. cap. (ICC-8B, 8C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-8A) not over 55 gal. cap. (ICC-8B, 8C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.
Fibers, burnt, wet or damp. Cotton, wet. Felt, wet. Hemp, wet. Jute, wet. Rags, wet. Textile waste, wet. Wood waste, wet. Fibers or fabrics, with animal or vegetable oil. Cotton waste, oily. Rags, oily. (When containing more than 5% of animal or vegetable oil). Firm support. (Nitrocellulose basis). Fish scrap or fish meal (Containing less than 5% or more than 15% moisture).	Fibers of vegetable or animal origin that have been wetted by rain or other moisture.  Fibers or fabrics impregnated with more than 5% of animal or vegetable oil. Includes oiled or treated paper or textiles not manufactured into finished articles.  Fish scrap or fish meal consists of ground and dried fish residue.	Yellow	Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. Stowage: "On deck protected". Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.  See: "Pyroxylin plastics, rods, rolls, sheets, tubes." Stowage: "On deck protected". Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.  See: "Tentages".	Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. Not permitted.  Not permitted.  Not permitted.	Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. Ferry storage (BB). Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.  Ferry storage (BB). Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.  Ferry storage (BB). Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.	Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. Ferry storage (BB). Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.  Ferry storage (BB). Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.
Garbage tankage, containing less than 8% moisture. Hail, wet.		Yellow	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." Outside containers: Tight metal barrels or drums, not over 1,700 lbs. gr. wt.  See: "Fibers, burnt, wet or damp."	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." Outside containers: Tight metal barrels or drums, not over 1,700 lbs. gr. wt.  See: "Fibers, burnt, wet or damp."	Ferry storage (A.B.) Outside containers: Highway vehicles having metal bodies. Gondola cars.	Outside containers: Highway vehicles having metal bodies. Gondola cars.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings	Label required	Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Inflammable solids, N. O. S.	<p>May be any substance classifying as an inflammable solid in accordance with the definitions contained in these regulations, provided such inflammable solid is not otherwise specified by name in these regulations.</p> <p>Stow separate from all combustible material, explosives, inflammable liquids (red label), or acids (white label).</p>	Yellow	<p>Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums: (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>See "FIBERS, BURNT, WET OR DAMP."</p> <p>Stowage: "On deck in open." "On deck under cover." "Tween decks readily accessible." "Under deck away from heat."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D) STC, not over 55 gal. cap. over 55 gal. cap. Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt.</p>	<p>Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt.</p> <p>Stowage: "On deck in open." "On deck under cover."</p>	<p>Ferry stowage (AA) Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Ferry stowage (BB) Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt.</p>	<p>Ferry stowage (BB) Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Ferry stowage (BB) Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt.</p>
Jute, wet. Lacquer base, or lacquer chips, dry, nitrocellulose base.	<p>Lacquer chips are composed of nitrocellulose incorporated with a plasticizer and in the form of thin irregular-shaped pieces. Such chips are the film-forming part of lacquer which remains after the solvents or thinners have evaporated.</p> <p>Included in a fire the products of decomposition, if inhaled, are irritating and poisonous even in small concentrations.</p> <p>Provide cool stowage in a compartment not exceeding 100° F. and seal away from any source of heat and in position to protect or move, even to jettisoning in event of fire.</p> <p>Do not stow in same compartment with explosives, inflammable liquids (red label), other inflammable solids or oxidizing materials (yellow label) or acids (white label).</p>	Yellow	<p>See "FIBERS, BURNT, WET OR DAMP."</p> <p>Stowage: "On deck in open." "On deck under cover." "Tween decks readily accessible." "Under deck away from heat."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D) STC, not over 55 gal. cap. over 55 gal. cap. Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt.</p>	<p>Stowage: "On deck in open." "On deck under cover."</p>	<p>Ferry stowage (AA)</p>	<p>Ferry stowage (BB)</p>
Lead nitrate.			See "Nitrates."			



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Magnesium metallic, powder.	A white metal, in the form of powder. It is highly inflammable, burning with intense heat and light. Develops hydrogen gas (which is highly explosive) on contact with water or acids. Keep dry. Do not store with any acids (white label), or inflammable liquids (red label).	Yellow	<p>Stowage: "On deck under cover" "Tweens" decks readily accessible.</p> <p>Outside containers: Steel barrels or drums: (ICC-5A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums: (ICC-22A) not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>See: "Nitrates."</p> <p>Stowage: "On deck under cover" "Tweens" decks readily accessible.</p> <p>Outside containers: Steel barrels or drums: (ICC-5A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums: (ICC-22A) not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt.</p>	Not permitted	Not permitted.
Magnesium nitrate. Magnesium perchlorate. Magnesium peroxide.	White, powdery substance. Decomposes on heating. Insoluble in water; gradually decomposed by it with liberation of oxygen. Keep cool and dry. Store separate from all combustible materials, explosives, or acids (white label).	Yellow	<p>Stowage: "On deck under cover" "Tweens" decks readily accessible.</p> <p>Outside containers: Steel barrels or drums: (ICC-5A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums: (ICC-22A) not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>See: "Nitrates."</p> <p>Stowage: "On deck under cover" "Tweens" decks readily accessible.</p> <p>Outside containers: Steel barrels or drums: (ICC-5A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums: (ICC-22A) not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt.</p>	Not permitted	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-5A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes: WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums: (ICC-22A) not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Matches, strike-anywhere. <i>Matchboxes, block.</i> The originating bill of lading or other shipping paper shall bear the statement that these matches have been packed in accordance with the conditions set forth in the current ICC regulations.	Strike-anywhere and block matches are those for the ignition of which a prepared surface is not required. Slow well away from living quarters and foodstuffs. Do not stow in same compartment with explosives, inflammable liquids (red label), inflammable solids or oxidizing materials (yellow label).	No label required.	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Wooden boxes, WIC (ICC-15A) not over 100 lbs. gr. Fiberboard boxes, WIC (ICC-12B, 12C) not over 60 lbs. gr. wt. (special 12B for strike-anywhere matches only, not over 45 lbs. gr. wt.).	Stowage: "On deck under cover." Outside containers: Wooden boxes, WIC (ICC-15A) not over 100 lbs. gr. Fiberboard boxes, WIC (ICC-12B, 12C) not over 60 lbs. gr. wt. (special 12B for strike-anywhere matches only, not over 45 lbs. gr. wt.).	Ferry stowage (BB). Outside containers: Wooden boxes, WIC (ICC-15A) not over 100 lbs. gr. Fiberboard boxes, WIC (ICC-12B, 12C) not over 60 lbs. gr. wt. (special 12B for strike-anywhere matches only, not over 45 lbs. gr. wt.).
Matches, book. Matches, card.	Matches intended to be ignited on a prepared surface only and which may be stitched in or fastened to a cover or folder, or prepared match strips not so attached or covered. Each outside container will be marked "Book matches" or "Card matches" as the case may be.	No label required.	NOTE: The vessel operator shall not accept shipments of Strike-anywhere matches unless the outside container shows, in English, the name of the importer, distributor, or manufacturer and the brand or trade mark under which such matches are manufactured and distributed to the trade; and in addition and separate therefrom shall have plainly marked thereon the words "Strike-anywhere matches."	NOTE: The vessel operator shall not accept shipments of Strike-anywhere matches unless the outside container shows, in English, the name of the importer, distributor, or manufacturer and the brand or trade mark under which such matches are manufactured and distributed to the trade; and in addition and separate therefrom shall have plainly marked thereon the words "Strike-anywhere matches."	NOTE: The vessel operator shall not accept shipments of Strike-anywhere matches unless the outside container shows, in English, the name of the importer, distributor, or manufacturer and the brand or trade mark under which such matches are manufactured and distributed to the trade; and in addition and separate therefrom shall have plainly marked thereon the words "Strike-anywhere matches."
Matches, strike-on-box.	Strike-on-box matches are those matches intended to be ignited on a prepared surface. Each outside container will be marked "Strike-on-box matches."	No label required.	Matches, strike-on-box, book and card, in outside fiberboard or wooden boxes, or matches strike-on-box, book and card when packed with noninflammable articles provided they are included in a tightly closed cardboard or fiberboard container, or are securely wrapped and packed so as to prevent accidental ignition, before being placed in the outside containers, are exempt from specification packaging and labeling requirements.	Matches, strike-on-box, book and card, in outside fiberboard or wooden boxes, or matches strike-on-box, book and card when packed with noninflammable articles provided they are included in a tightly closed cardboard or fiberboard container, or are securely wrapped and packed so as to prevent accidental ignition, before being placed in the outside containers, are exempt from specification packaging and labeling requirements.	Matches, strike-on-box, book and card, in outside fiberboard or wooden boxes, or matches strike-on-box, book and card when packed with noninflammable articles provided they are included in a tightly closed cardboard or fiberboard container, or are securely wrapped and packed so as to prevent accidental ignition, before being placed in the outside containers, are exempt from specification packaging and labeling requirements.
Motion-picture film (Nitrocellulose base, positive or negative). Includes motion-picture film in use for purposes of exhibition. Each reel shall be in a tightly closed metal can.	Highly inflammable. Decomposition may start and ignition occur at relatively low temperatures. If inhaled, the products of decomposition are irritating and poisonous even in low concentrations. Provide cool storage in a compartment having a temperature of not exceeding 100° F. and well away from any source of heat, and in position to protect or move, even to jettisoning in event of fire. Do not stow in same compartment with explosives, inflammable liquids (red label), other inflammable solids or oxidizing materials (yellow label), or acids (white label).	Yellow.	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Metal cases (ICC-32A, 32B), not over 12,000 ft. of 1½ in. film, or 6,000 ft. of 2½ in. film. Trunks, WIMC (ICC-32C) for motion-picture film and projecting apparatus. Wooden boxes, WIMC (ICC-15A, 15B, 15C) not over 200 lbs. gr. wt. Fiberboard boxes, WIMC (ICC-12B) not over 2,000 ft. of film in each film-reel can, not over 65 lbs. gr. wt.	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Metal cases (ICC-32A, 32B), not over 12,000 ft. of 1½ in. film, or 6,000 ft. of 2½ in. film. Trunks, WIMC (ICC-32C) for motion-picture film and projecting apparatus. Wooden boxes, WIMC (ICC-15A, 15B, 15C) not over 200 lbs. gr. wt. Fiberboard boxes, WIMC (ICC-12B) not over 2,000 ft. of film in each film-reel can, not over 65 lbs. gr. wt.	Ferry stowage (BB). Outside containers: Metal cases (ICC-32A, 32B), not over 12,000 ft. of 1½ in. film, or 6,000 ft. of 2½ in. film. Trunks, WIMC (ICC-32C) for motion-picture film and projecting apparatus. Wooden boxes, WIMC (ICC-15A, 15B, 15C) not over 2,000 lbs. gr. wt. Fiberboard boxes, WIMC (ICC-12B) not over 2,000 ft. of film in each film-reel can, not over 65 lbs. gr. wt.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Motion-picture film, unexposed, (nitrocellulose base). Each reel shall be in a tightly closed metal can.	Characteristics and hazards as for "motion-picture film," which see above.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat."  Outside containers: Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A) not over 350 lbs. gr. wt. Fiberboard boxes, WIMC (ICC-12B) not over 75 lbs. gr. wt.  There are no stowage or container restrictions on packages containing only Cellulose Acetate base motion-picture film; however, when such film is packed with Nitrocellulose base motion-picture film (inflammable) all requirements must be complied with as if all film were inflammable.	Stowage: (*) "On deck under cover." "Tween decks readily accessible." "Cargo hatch trunkway." "No re: Refrigerated stowage (which may be under deck) may be furnished if desired by the shipper." Outside containers: Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A) not over 350 lbs. gr. wt. Fiberboard boxes, WIMC (ICC-12B) not over 75 lbs. gr. wt.  There are no stowage or container restrictions on packages containing only Cellulose Acetate base motion-picture film; however, when such film is packed with Nitrocellulose base motion-picture film (inflammable) all requirements must be complied with as if all film were inflammable.	Ferry Stowage (A.A.)  Ferry stowage (B.B).  Outside containers: Wooden boxes, WIMC (ICC-15A, 15B, 15C, 16A) not over 350 lbs. gr. wt. Fiberboard boxes, WIMC (ICC-12B) not over 75 lbs. gr. wt.
Motion-picture film, (cellulose acetate base).	Exposed or unexposed cellulose acetate base film. (Slow burning (noninflammable) motion-picture film.) Material is combustible with about the same hazard as paper.	No label required	Stowage: "On deck under cover." "Tween decks readily accessible." Steel barrels or drums: (ICC-8A) not over 55 gal. cap. (ICC-6B, C, D) not over 110 gal. cap. (ICC-37E) STC not over 55 gal. cap. Metal cases (ICC-32A, 32B) not exceeding core capacity. Metal boxes (ICC-32D) not over 250 lbs. net wt. of film. Wooden boxes, WIMC (ICC-15A) not over 450 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A) WIMC not over 450 lbs. gr. wt. No restrictions.	Not permitted.  No restrictions.	Not permitted.  No restrictions.
Motion-picture film, old and worn out. (Nitrocellulose base).	Old and worn out (not scrap) film, no longer exhibitable and with tags only for reclamation of material. Characteristics and hazards are the same as for "Motion-picture film (Nitrocellulose base)," which see.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-8A) not over 55 gal. cap. (ICC-6B, C, D) not over 110 gal. cap. (ICC-37E) STC not over 55 gal. cap. Metal cases (ICC-32A, 32B) not exceeding core capacity. Metal boxes (ICC-32D) not over 250 lbs. net wt. of film. Wooden boxes, WIMC (ICC-15A) not over 450 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A) WIMC not over 450 lbs. gr. wt. No restrictions.	Not permitted.  No restrictions.	Not permitted.  No restrictions.
Motion-picture film, old and worn out (cellulose acetate base).	Old and worn out (not scrap) film, no longer exhibitable and with tags only for reclamation of material. Material is combustible with about the same hazard as paper.	No label required	See "Pyroxylin plastic scrap."	No restrictions.	No restrictions.
Motion-picture film, toy.	Pieces of, exposed, of approximately 3/4 inch by 1 3/4 inches in size. Not to exceed 1,000 such pieces enclosed in a tight metal box. Also motion-picture outfit, toy, consisting of one projecting apparatus and not to exceed one roll of motion-picture film, 12 feet or less in length. Film shall be in a tight metal box and packed with the projecting apparatus in an outside section.	No label required	No restrictions.	No restrictions.	No restrictions.
Motion-picture film, toy, standard width. Each reel shall be in a tightly closed metal can.	Film 1 3/4 inches wide on metal reel; not over 200 feet of film on each reel. Characteristics and hazards as for "Motion-picture film (nitrocellulose base)," which see.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Wooden boxes, WIMC (ICC-15A, 15B, 15C), not over 250 lbs. gr. wt.	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Wooden boxes, WIMC (ICC-15A, 15B, 15C), not over 250 lbs. gr. wt.	Ferry stowage (A).  Ferry stowage (B).  Outside containers: Wooden boxes, WIMC (ICC-15A, 15B, 15C), not over 250 lbs. gr. wt.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
<b>Nitrates:</b> Aluminum nitrate	Colorless crystals or salts. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives and acids (white label).	No label required.	Storage: "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside containers: Steel barrels or drums. Wooden barrels or kegs. Fiberboard boxes, not over 90 lbs. gr. wt. Fiber drums, not over 150 lbs. gr. wt. Plywood drums, not over 150 lbs. gr. wt. Bags, not over 224 lbs. net wt. Bulk in tight R. R. cars. Bulk in light highway vehicles of a closed type.	Storage: "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside containers: Steel barrels or drums. Wooden barrels or kegs. Fiberboard boxes, not over 90 lbs. gr. wt. Fiber drums, not over 150 lbs. gr. wt. Plywood drums, not over 150 lbs. gr. wt.	R. R. car ferry, passenger or vehicle  Ferry storage (BB).  Outside containers: Steel barrels or drums. Wooden barrels or kegs. Fiberboard boxes, not over 90 lbs. gr. wt. Fiber drums, not over 150 lbs. gr. wt. Plywood drums, not over 150 lbs. gr. wt.
Ammonium nitrate	Colorless, odorless, hygroscopic crystal or white granules. Under conditions of exposure to temperatures above 400° F. rapid decomposition and ignition may occur with evolution of heat. Under exposure to severe shock, detonation is possible although not probable under conditions of transportation. Soluble in water. Stow separate from all combustible materials, explosives, and acids (white label), and well away from chlorates and other nitrates.	No label required.			
Barium nitrate	Colorless, odorless crystals or white crystalline powder thereof. Soluble in water. Poisonous if taken internally. Stow away from foodstuffs. Stow separate from all combustible materials, explosives or acids (white label).	No label required.	Note: It is not required that the above containers be ICC specification containers, although ICC specification containers are acceptable, but the officer in charge of loading the vessel shall satisfy himself they are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, leakage or an inability to properly contain the substance.	Note: It is not required that the above containers be ICC specification containers, although ICC specification containers are acceptable, but the officer in charge of loading the vessel shall satisfy himself they are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, leakage or an inability to properly contain the substance.	Note: It is not required that the above containers be ICC specification containers, although ICC specification containers are acceptable, but the officer in charge of loading the vessel shall satisfy himself they are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, leakage or an inability to properly contain the substance.
Calcium nitrate	A white, deliquescent mass. Involved in a fire will greatly intensify the burning of all combustible materials. Soluble in water. Stow separate from all combustible materials, explosives or acids (white label). A heavy, white crystalline salt. Will support combustion of organic matter. Is also poisonous. Soluble in water. Stow separate from all combustible materials, explosives or acids (white label), or foodstuffs.	No label required.			
Lead nitrate	Colorless, clear crystals. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives or acids (white label). Composed principally of ammonium nitrate.	No label required.			
Magnesium nitrate	Colorless, clear crystals. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives or acids (white label). Composed principally of ammonium nitrate.	No label required.			
Nitro-carbo nitrate	Involved in a fire will greatly intensify the burning of all combustible material and under conditions of exposure to high temperatures (above 400° F.) rapid decomposition and ignition may occur. Will burn with explosive violence. Stow separate from all combustible material, explosives, or acids (white label) and away from chlorates. Soluble in water.	No label required.			



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
<i>Nitrates—Continued.</i> Nitrates, N. O. S. ....	Any nitrate, classifying as an oxidizing material in accordance with these regulations, that is not specified by name herein. Involved in a fire will greatly intensify the burning of all combustible material. Stow separate from all combustible material, explosives, or acids (white label). Soluble in water. White granular or crystalline powder. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives, inflammable liquids, or acids. Nitrates in bulk or in bags should not be stowed in the same compartment with combustible materials, explosives, inflammable liquids (red label), or acids (white label). Carefully clean and remove all residue of nitrate remaining in a compartment used for the stowage of this substance.	No label required.			
Potassium nitrate .....	White granular or crystalline powder. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives, inflammable liquids, or acids. Nitrates in bulk or in bags should not be stowed in the same compartment with combustible materials, explosives, inflammable liquids (red label), or acids (white label). Carefully clean and remove all residue of nitrate remaining in a compartment used for the stowage of this substance.	No label required.			
Sodium nitrate .....	White or yellowish crystalline salts. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives, inflammable liquids (red label), or acids (white label). Nitrates in bulk or in bags should not be stowed in the same compartment with combustible materials, explosives, inflammable liquids (red label), or acids (white label). Carefully clean and remove all residue of nitrate remaining in a compartment used for the stowage of this substance.	No label required.			
Strontium nitrate .....	White granular or powder. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives, inflammable liquids (red label), or acids (white label). Nitrates in bulk or in bags should not be stowed in the same compartment with combustible materials, explosives, inflammable liquids (red label), or acids (white label). Carefully clean and remove all residue of nitrate remaining in a compartment used for the stowage of this substance.	No label required.			
Zinc nitrate. Zirconium nitrate .....	White, very hygroscopic crystals or white pieces or scales. Soluble in water. Involved in a fire will greatly intensify the burning of all combustible materials. Stow separate from all combustible materials, explosives, or acids (white label).	No label required. No label required.			
Nitro-carbo nitrate Nitrates, N. O. S. ....	See: "Nitrates." See: "Nitrates."				



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
Nitrocellulose, wet with water. For export shipments only, the shipping name "Celluloid cotton, wet with water" may be used when required by country of destination. Material shall be uniformly wet with at least 20 pounds of water to 80 pounds of dry material. Shipping containers shall have marked thereon the gross, tare, and net weight of the package.	An inflammable solid consisting of nitrated cotton. When wet with not less than 20% water this substance is classified as an inflammable solid. When dry, this substance is classified as a high explosive. Involved in a fire will give off nitrous fumes, deep orange in color, and extremely irritating and poisonous. Check gross weight of containers to be certain no leakage has occurred. Refuse leaking containers or ones showing signs of having leaked. Outside containers will be marked "Wet nitrocellulose—20% water."	Yellow	Storage: "On deck in open." "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Steel barrels or drums: (ICC-6A, 6B, 6C) not over 450 lbs. gr. wt. (ICC-37D) STC, not over 5 gal. cap. (ICC-17E) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B) not over 450 lbs. gr. wt. Wooden boxes, WIL (ICC-15A, 15B) not over 250 lbs. gr. wt.	Storage: "On deck in open." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A, 6B, 6C) not over 450 lbs. gr. wt. (ICC-37D) STC, not over 5 gal. cap. (ICC-17E) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B) not over 450 lbs. gr. wt. Wooden boxes, WIL (ICC-15A, 15B) not over 250 lbs. gr. wt.	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-6A, 6B, 6C) not over 450 lbs. gr. wt. (ICC-37D) STC, not over 5 gal. cap. (ICC-17E) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B) not over 450 lbs. gr. wt. Wooden boxes, WIL (ICC-15A, 15B) not over 250 lbs. gr. wt.
Nitroguanidine, wet with water. Material shall be uniformly wet with at least 20 pounds of water to 80 pounds of dry material. Shipping containers shall have marked thereon the gross, tare, and net weight of the package.	Formed by the nitration of guanidine. Characteristics and hazards as for "Nitrocellulose, wet with water," which see above. Outside containers will be marked "Wet nitroguanidine—20% water."	Yellow	Storage: "On deck in open." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A, 6B, 6C) not over 450 lbs. gr. wt. (ICC-37D) STC, not over 5 gal. cap. (ICC-17E, 37F, 37F) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums, (ICC-6A) not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt.	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-6A) not over 450 lbs. gr. wt. (ICC-37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.
Nitrostarch, wet with water. Material shall be uniformly wet with at least 20 pounds of water to 80 pounds of dry material. Shipping containers shall have marked thereon the gross, tare, and net weight of the package.	Formed by the nitration of starch. Characteristics and hazards as for "Nitrocellulose, wet with water," which see above. Outside containers will be marked "Wet nitrostarch—20% water."	Yellow	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-37E, 37D, 37E, 37F) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums, (ICC-6A) not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt.	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-6A) not over 450 lbs. gr. wt. (ICC-37E, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.
Paper stock, wet. Paper waste, wet.	May be any substance classifying as an oxidizing material in accordance with the definitions contained in these regulations, provided such oxidizing material is not otherwise specified by name in these regulations. Involved in a fire, will greatly intensify the burning of all combustible materials. Store separate from all combustible materials, explosives or acids (white label).	Yellow	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-37E, 37D, 37E, 37F) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums, (ICC-6A) not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt.	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-6A) not over 450 lbs. gr. wt. (ICC-37E, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.
Paper stock, new, or waste paper that is wet.		Yellow	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-37E, 37D, 37E, 37F) STC, not over 450 lbs. gr. wt. Wooden barrels or kegs (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums, (ICC-6A) not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt.	Ferry storage (BB). Outside containers: Steel barrels or drums: (ICC-6A) not over 450 lbs. gr. wt. (ICC-37E, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs, WIC: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIMC, not over 150 lbs. gr. wt.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
<b>Perchlorates:</b> Ammonium perchlorate. Barium perchlorate. Calcium perchlorate. Magnesium perchlorate. Potassium perchlorate. Sodium perchlorate.	<i>Colorless crystals or white crystalline powder; strong oxidizing agent.</i> <i>Soluble in water.</i> <i>Perchlorates mixed with organic matter form very inflammable compounds, and frequently act as high explosives.</i> <i>Organic material or finely divided metals somewhat the same as chlorates, but to a lesser degree.</i> <i>Perchlorates shall not be stored in the same compartment with explosives, acids (white label), or combustible material such as cotton, charcoal, sulfur, etc.</i>	Yellow	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Under "deck but not over-deck." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) gal. cap. STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums, (ICC-21A) not over 150 lbs. gr. wt. WIMC (ICC-22B) drums, not over 150 lbs. gr. wt.	Stowage: "On deck protected." "On deck under cover." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) gal. cap. STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. WIMC (ICC-22B) drums, not over 150 lbs. gr. wt.	Ferry storage (AA)..... Ferry storage (BB) Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. WIMC (ICC-22B) drums, not over 150 lbs. gr. wt.	R. R. car, ferry, passenger or vehicle
<b>Permanganates:</b> Ammonium permanganate. Barium permanganate. Calcium permanganate. Potassium permanganate. Sodium permanganate. Zinc permanganate.	<i>In crystal or powder form, having a metallic sheen in rich colors, purple to reddish-black, gold-brown or black, or dark purple shades.</i> <i>All permanganates mixed with combustible materials are liable to ignition by friction, or spontaneous combustion, or if acted upon by the corrosive liquid acids. Such mixtures have been known to react with explosive force.</i> <i>Potassium permanganate is known to ignite spontaneously in contact with glycerin (including the anti-freeze glycerin compounds).</i> <i>Barium permanganate is also spontaneous if taken internally. So easily from foodstuffs.</i> <i>Soluble in water.</i> <i>Do not store with explosives, acids (white label), glycerin, formaldehyde, organic materials, chalk, charcoal, sulfur or similar substances.</i> Keep cool.	Yellow	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) gal. cap. STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. WIMC (ICC-22B) drums, not over 150 lbs. gr. wt.	Stowage: "On deck protected." "On deck under cover." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. WIMC (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.	Ferry storage (AA)..... Ferry storage (BB) Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. WIMC (ICC-22A), (ICC-22B) WIC, not over 150 lbs. gr. wt.	R. R. car, ferry, passenger or vehicle

Permanganate of potash.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Phosphoric anhydride.....	A finely divided white powder, having a strong affinity for water. Rapidly absorbs moisture from the air. Mixed with organic matter in the presence of moisture (even moisture in the air) it causes great heat and sometimes the ignition of the material. Soluble in water, somewhat slowly, and with evolution of much heat. Stow separate from all combustible materials, explosives, inflammable liquids (red label) or acids (white label). Keep dry.	Yellow.....	Storage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A, 6B, 6C) not over 55 gal. cap. (ICC-17E, 37D) STC, not over 55 gal. cap. Wooden barrels or kegs, WIC (ICC-11A, 11B) not over 400 lbs. gr. wt. Wooden boxes, WIC (ICC-15A, 15B, 15C) not over 250 lbs. gr. wt.	Not permitted.....	Not permitted.....	Not permitted.
Phosphorus amorphous, red.	An inflammable solid in the form of a reddish-brown powder. Is readily ignited by friction. Insoluble in water. Will contaminate foodstuffs. In the presence of fire, fumes given off by this substance are irritating and suffocating. Do not stow with nitrates, chlorates, perchlorates or permannates. Mixtures may result in explosions by friction or shock. Stow well away from all living quarters, all sources of heat, foodstuffs or oxidizing materials (yellow label). An inflammable solid in the form of a grayish-yellow crystalline mass.	Yellow.....	Storage: "On deck under cover." "Tween decks readily accessible." Outside containers: Wooden boxes (ICC-15A, 15B) with airtight metal inside containers, not over 250 lbs. gr. wt.	Storage: "On deck under cover." Outside containers: Wooden boxes (ICC-15A, 15B) with airtight metal inside containers, not over 250 lbs. gr. wt.	Ferry storage (AA).....	Ferry storage (BB). Outside containers: Wooden boxes (ICC-15A, 15B) with airtight metal inside containers, not over 250 lbs. gr. wt.
Phosphorus pentachloride.	In contact with air, gives off fumes which have a strong irritating effect upon the eyes and mucous tissue. Decomposes upon contact with water, with liberation of hydrochloric acid. Irritating odor. Will contaminate foodstuffs. In the presence of fire, fumes given off by this substance are irritating.	Yellow.....	Storage: "On deck under cover." "Tween decks readily accessible." Outside containers: "Blacked iron" barrels or drums (ICC-6A, 6B, 6C) not over 55 gal. cap. (ICC-37D) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A) Asphaltum lined, not over 50 gal. cap. (ICC-11B) WIC, not over 50 lbs. net wt. of material. Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 50 lbs. net wt. of material. Metal-jacketed lead carbonyls (ICC-28A) not over 15 gal. cap.	Not permitted.....	Not permitted.....	Not permitted.
Phosphorus sesquisulfide.	Keep dry. Stow well away from living quarters, all sources of heat, foodstuffs or oxidizing materials (yellow label). Yellow crystalline mass generally in finely ground form very inflammable. Is readily ignited by slight friction. Inclosed in a fire will give off fumes that are irritating and suffocating. Insoluble in water. Do not stow with nitrates, chlorates, or other oxidizing materials (yellow label). Stow away from all living quarters, sources of heat, or foodstuffs.	Yellow.....	Storage: "On deck under cover." "Tween decks readily accessible." Outside containers: Wooden boxes (ICC-15A, 15B, 16A) with airtight metal inside containers, not over 250 lbs. gr. wt.	Not permitted.....	Not permitted.....	Not permitted.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Phosphorus, white or yellow, in water. Shipping containers shall have marked thereon the gross, tare, and net weight of the package.	Almost colorless or yellowish semi-transparent mass becoming somewhat darker or white and waxy in appearance with aging. Fumes are poisonous and possess a strong garlic-like odor. In case of leakage, do not handle this substance with bare hands. White or yellow phosphorus will ignite spontaneously in air. Melting point 110° F. Do not stow with explosives, inflammable liquids (red label), corrosive liquids (yellow label), nor with nitrates, chlorates, or permanganates. Stow away from living quarters and foodstuffs. Check gross weight of containers to be certain no leakage has occurred. Refuse leaking containers or ones showing signs of having leaked. Characteristics and hazards as for "Phosphorus, white or yellow, in water," which see above.	Yellow	Stowage: "On deck in open" ....  Outside containers: When packed in water: Steel barrels or drums: (ICC-6A, 6B) not over 30 gal. cap. Wooden boxes: (ICC-13A, 13B, 19A) with hermetically sealed metal cover or metal linings, not over 200 lbs. gr. wt. Tank cars: (ICC-103) without bottom discharge outlet and with insulated covering.	Not permitted	Not permitted	Not permitted
Phosphorus, white or yellow, dry.		Yellow	Stowage: "On deck in open" ....  Outside containers: When dry and cast solid, steel barrels or drums (ICC-6A, 6B, 6C) not over 30 gal. cap.	Not permitted	Not permitted	Not permitted
Photographic film (nitrocellulose base). X-ray film (nitrocellulose base).  Including developed or undeveloped or processed film sheets enclosed in individual cartons, wrappings or packing.	Highly inflammable.  Decomposition may start and ignition occur at relatively low temperatures. If heated the products of decomposition are irritating and poisonous even in small concentrations. Provide stowage in a compartment having a temperature of not exceeding 100° F. and well away from any source of heat, and in position to protect or move, even to jettison in event of fire. Do not stow in same compartment with explosives, inflammable liquids (red label), other inflammable solids or oxidizing materials (yellow label), or acids (white label).	No label required	Stowage: On deck under cover: "When decks readily accessible." "Cargo hatch trunkway." *Noise: Refrigerated stowage (which may be under deck) may be furnished if desired by the shipper.  Outside containers: Wooden boxes: Nonspecification. With inside, individual carton containers. Not over 400 lbs. gr. wt. Fiberboard boxes: Nonspecification. With inside, individual carton containers. Not over 75 lbs. gr. wt. Strapped with two steel bands. Full frame solid Fiberboard boxes. Not over 400 lbs. gr. wt.	Not permitted	Ferry storage (AAA)	Ferry storage (BB).
Photographic film (cellulose acetate base). X-ray film (cellulose acetate base). Including developed or undeveloped or processed film in rolls or sheets enclosed in individual cartons, wrappings or packing. Photographic film scrap (nitrocellulose base). Photographic film scrap (cellulose acetate base).	Material is combustible with about the same hazard as paper.	No label required	No restrictions	No restrictions	No restrictions	No restrictions



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Picric acid, wet with not less than 10% water, in excess of 16 ounces, but not exceeding 55 pounds. Picric acid, wet with not less than 10% water, in quantity not exceeding 16 ounces in one outside package may be accepted as "Drugs, chemicals, medicines, or cosmetics." Shipping containers shall have marked thereon the gross, tare, and net weight of the package.	Pale yellow crystals. In its dry state is classified by these regulations as a high explosive that is not sensitive in this respect when wet with at least 10% of water. It is also poisonous. Soluble in water. Keep cool. In accepting shipments observe outside containers carefully for signs of leakage of the water content. Refuse packages showing leakage or signs of having leaked. Store separate from all metals, metallic powders, finely divided organic material, lime, potash, soda or any chlorates, nitrates or other oxidizing materials (yellow label). Do not stow with explosives, acids (white label), or adjacent to living quarters. Potassium bromate is an oxidizing material in the form of white crystalline salts having properties similar to "potassium chlorate," but less dangerous. It is highly inflammable. Soluble in water. Do not stow in same compartment with combustible materials, explosives, or acids (white label). Keep dry.	Yellow	Stowage: "On deck under cover." "Twelve decks readily accessible." Outside containers: Wooden boxes, WIC (ICC-15A) not over 25 lbs. dry weight of material in one outside container.	Not permitted.	Not permitted.	Not permitted.
Potassium bromate		Yellow	Stowage: "On deck protected." "On deck under cover." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-37E, 37D, 37F, 37G) not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. WIC, not over 40 lbs. gr. wt. (ICC-11A, 11B) WIC, not over 250 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A), not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B), not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIMC, not over 150 lbs. gr. wt. (ICC-22B) WIMC, not over 150 lbs. gr. wt. See: "Chlorates."	Stowage: "On deck protected." "On deck under cover." Ferry stowage (AA)	Ferry stowage (BB)	
Potassium chlorate Potassium metallic	Potassium metallic is an inflammable, soft, white metal, with a silvery luster on freshly cut surfaces. Reacts violently with water evolving hydrogen which ignites from the intense heat of the reaction; also violently and similarly decomposed in acids. Stow separate from all combustible materials, explosives, acids (white label), inflammable liquids (red label), or oxidizing materials (yellow label). Do not overstore with other cargo. Keep dry.	Yellow	Stowage: "On deck under cover." "Twelve decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-37E, 37D, 37F, 37G) not over 55 gal. cap. WIC, not over 40 lbs. gr. wt. (ICC-11A, 11B) WIC, not over 250 lbs. gr. wt. (ICC-15A, 15B, 15C, 16A, 19A), not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B), not over 65 lbs. gr. wt. Fiber drums (ICC-21A), not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIMC, not over 150 lbs. gr. wt. (ICC-22B) WIMC, not over 150 lbs. gr. wt. See: "Chlorates."	Not permitted.	Not permitted.	Not permitted.
Potassium nitrate Potassium perchlorate Potassium permanganate						



Table E—Inflammable Solids and Oxidizing Materials—Continued

No. 10	Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
1	Potassium peroxide.....	Oxidizing agent in the form of a yellow, amorphous mass. Decomposes in water, evolving oxygen. Keep dry. Store separate from all combustible materials, explosives or acids (white label).	Yellow.....	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover." "Tween decks readily accessible."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Ferry stowage (AA).....</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Ferry stowage (BB).</p>	<p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 400 lbs. gr. wt.</p> <p>Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Ferry stowage (BB).</p>
Potassium sulfide (fused or concentrated and ground).	In the form of yellow to yellowish red crystals strongly caustic. Freely soluble in water with evolution of much heat. May also spontaneously oxidize in the air with evolution of so much heat as to ignite. Keep dry and cool. Store separate from all combustible materials, explosives, acids (white label), and well away from any living quarters.	Yellow.....	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover." "Tween decks readily accessible."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>
Potassium sulfide (fused or concentrated but not ground—may be chipped or broken).	Characteristics and hazards as for "potassium sulfide (fused or concentrated and ground)," which see above.	Yellow.....	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover." "Tween decks readily accessible."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>	<p>Storage: "On deck under cover." "Tween decks readily accessible."</p> <p>Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-15A, 15B, 15C, 16A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Plywood drums (ICC-22A) (ICC-22B) WIC, not over 150 lbs. gr. wt.</p> <p>Stowage: "On deck under cover."</p>



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Pyroxylin plastics, rods, sheets or tubes. Film support (nitrocellulose base). Note: Manufactured pyroxylin plastic articles, not otherwise named herein, than containing more than 10% weight of nitrocellulose shall be shipped described as "Pyroxylin plastics."	Solid solutions composed mainly of nitrocellulose, camphor and small amounts of volatile solvents. Highly inflammable. Decomposition may start, and ignition occur at relatively low temperatures. If heated, the products of decomposition are irritating and poisonous even in low concentrations. Provide cool storage in a compartment having a temperature of not exceeding 100° F. and well away from any source of heat, and in position to protect or move, even to jetisoning in event of fire. Do not stow in same compartment with explosives, inflammable liquids (red label), other inflammable solids or oxidizing materials (yellow label), or corrosive liquids (white label). Consists of trimmings, clippings, and other waste obtained in the manufacture of pyroxylin plastic articles, or the scrap obtained from motion picture film, X-ray film and photographic film. Being finely divided, it is more hazardous than the original materials. Stow well away from all sources of heat. Protect from temperatures exceeding 100° F.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Wooden boxes (ICC-15A, 15B, 19A) not over 450 lbs. gr. wt. Fiberboard boxes (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt.	Stowage: "On deck under cover." "Cargo hatch trunkway." * Note: Refrigerated stowage (which may be under deck) may be furnished if desired by the shipper. Outside containers: Wooden boxes (ICC-15A, 15B, 19A) not over 450 lbs. gr. wt. Fiberboard boxes (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt.	Ferry storage (AA) Ferry storage (BB)	R. R. car, ferry, passenger or vehicle Ferry storage (BB)
Pyroxylin plastic scrap Motion picture film scrap (Nitrocellulose base). Photographic film scrap (Nitrocellulose base). X-ray film scrap (Nitrocellulose base).		Yellow	Stowage: "On deck protected." "On deck under cover." Outside containers: Steel barrels or drums: (ICC-4A, 4B) not over 880 lbs. gr. wt. (ICC-4B, 6C) not over 1,760 lbs. gr. wt. (ICC-37E) STC, not over 880 lbs. gr. wt. Wooden barrels or kegs, WIL (ICC-11B) not over 375 lbs. gr. wt. Wooden boxes, WIL (ICC-15A, 15B) not over 450 lbs. gr. wt. See: Fibers or fabrics with animal or vegetable oil. See: Fibers, burnt, wet, or damp. See: "Fertilizers"	Not permitted	Not permitted	Not permitted
Rags, oily Rags, wet Rough ammoniate tank-ages containing less than 7% moisture. Rubber scrap, ground, powdered or granulated.	Rubber scrap, without cotton or fabric insertion, if ground, powdered, or granulated, and the rubber content of which exceeds 45%, as determined by subtracting the sum of the percentage of ash and the percentage of acetone from 100. Buflings from any grade of rubber irrespective of percentage of rubber content. Rubber shoddy, regenerated rubber or reclaimed rubber consists of old rubber which has been subjected to chemical treatment of some kind in preparing it for further use in the rubber industry. Certain grades of rubber scrap if ground, powdered or granulated or the buflings from rubber as well as rubber shoddy or regenerated or reclaimed rubber are subject to the alkali hazard. This hazard does not apply to rubber scrap that is not ground or powdered or granulated and neither does it apply to rubber scrap in the form of dense, homogeneous nonporous sheets or rolls.	Yellow	Stowage: "On deck in open." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-4A) not over 35 gal. cap. (ICC-4B, 6C) not over 110 gal. cap. Wooden boxes, WIL (ICC-15A) not over 250 lbs. gr. wt.	Not permitted	Ferry storage (AA)	Ferry storage (BB)
Rubber buflings Rubber shoddy, regenerated rubber, or reclaimed rubber.	Note: When in the form of dense homogeneous nonporous sheets or rolls, the sheets of a thickness of 3/4 inch or greater, packed in bulk in robust, leakproof and not subject to these regulations.				Outside containers: Steel barrels or drums: (ICC-4A) not over 55 gal. cap. (ICC-4B, 6C) not over 110 gal. cap. Wooden boxes, WIL (ICC-15A) not over 250 lbs. gr. wt.	Outside containers: Steel barrels or drums: (ICC-4A) not over 55 gal. cap. (ICC-4B, 6C) not over 110 gal. cap. Wooden boxes, WIL (ICC-15A) not over 250 lbs. gr. wt.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Saltpeter. Saltpeter, Chile Sodium chlorate Sodium chlorite Sodium Hydrosulfite	White or grayish-white crystalline powder.  Oxidizes in air, and more readily so in presence of moisture, giving off sulfur dioxide, a pungent intensely irritating gas.  Very soluble in water. Keep dry	Yellow	Sec: "Potassium nitrate." Sec: "Sodium nitrate." Sec: "Chlorates." Sec: "Calcium chlorite." Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat."  Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap.  Wooden barrels or kegs, WIC (ICC-11B) not over 400 lbs. gr. wt.  Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums, WIC (ICC-22B) not over 150 lbs. gr. wt.  Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap.  Wooden barrels or kegs, WIC (ICC-11B) not over 400 lbs. gr. wt.  Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums, WIC (ICC-22B) not over 150 lbs. gr. wt.	Stowage: "On deck under cover." "Tween decks readily accessible." "Under deck away from heat."  Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap.  Wooden barrels or kegs, WIC (ICC-11B) not over 400 lbs. gr. wt.  Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums, WIC (ICC-22B) not over 150 lbs. gr. wt.	Ferry stowage (AA)	Ferry stowage (BB).  Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap.  Wooden barrels or kegs, WIC (ICC-11B) not over 400 lbs. gr. wt.  Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums, WIC (ICC-22B) not over 150 lbs. gr. wt. Not permitted.
Sodium metallic	Sodium metallic is a light, silvery-white metal, lustrous when freshly cut. Burns with a yellow flame; violently decomposes water forming sodium hydroxide and hydrogen which ignites spontaneously. Stow separate from all combustible materials, explosives, acids (white label), inflammable liquids (red label), oxidizing materials (yellow label). Keep dry.	Yellow	Sec: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. Wooden boxes (ICC-15A, 15B) with hermetically sealed metal inside containers, not over 250 lbs. gr. wt. Sodium Metallic which has been fused solid in the container may be accepted in: Steel barrels or drums, STC (ICC-17E, 37D) not over 55 gal. cap. Sodium Metallic immersed in neutral petroleum oil may also be accepted in: Wooden boxes (ICC-15A, 15B) with glass inside containers each enclosed in a tin container, not over 250 lbs. gr. wt. Tank cars (ICC-103A300) the metallic sodium to be in a molten condition when loaded into the tank and allowed to solidify before car is accepted by carrier. Sec: "Nitrates."	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap.  Wooden barrels or kegs, WIC (ICC-11B) not over 400 lbs. gr. wt.  Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums, WIC (ICC-22B) not over 150 lbs. gr. wt.	Ferry stowage (AA)	Ferry stowage (BB).  Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap.  Wooden barrels or kegs, WIC (ICC-11B) not over 400 lbs. gr. wt.  Wooden boxes, WIC (ICC-15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiber drums, WIC (ICC-21A) not over 150 lbs. gr. wt. Plywood drums, WIC (ICC-22B) not over 150 lbs. gr. wt. Not permitted.



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required conditions for transportation			
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle	R. R. car, ferry, passenger or vehicle
Sodium nitrite	A yellowish-white salt, somewhat moist in appearance. It is an oxidizing material which, while containing less oxygen than the nitrates, is more readily decomposed, and therefore generally more active. When mixed with organic matter, it is more readily ignited than a corresponding mixture of sodium nitrate. Sodium nitrite if mixed with ammonium salts decomposes spontaneously and may cause fire. Therefore, do not stow with ammonium nitrate. Absorbs moisture. Stable in water. Immersed in a fire will greatly intensify the burning of all combustible materials. Stow away from all combustible materials. Do not mix with acids (white label).	Yellow	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 100 lbs. gr. wt. Wooden boxes: 15A, 15B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. See: "Perchlorates." See: "Permanganates." Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-13A, 13B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Wooden barrels or kegs, WIC (ICC-11B) not over 100 lbs. gr. wt.	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 100 lbs. gr. wt. Wooden boxes, WIC (ICC-13A, 13B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. Not permitted.	Ferry stowage (AA)..... Ferry stowage (BB).	Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden barrels or kegs: (ICC-10A, 10B, 10C) not over 50 gal. cap. (ICC-11A, 11B) WIC, not over 100 lbs. gr. wt. Wooden boxes, WIC (ICC-13A, 13B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Fiberboard boxes, WIC (ICC-12B) not over 65 lbs. gr. wt. Fiber drums (ICC-21A) not over 150 lbs. gr. wt. Plywood drums: (ICC-22A) WIC, not over 150 lbs. gr. wt. (ICC-22B) WIC, not over 150 lbs. gr. wt. Not permitted.
Sodium perchlorate	Yellowish-white, granular powder. Absorbs water from the air. In contact with organic matter or readily oxidizable substances ignition and explosion may take place. Do not stow in same compartment with explosives or acids (white label). Stow separate from combustible materials or other oxidizing substances (yellow label). Stable in water. Keep dry.	Yellow	Stowage: "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (ICC-6A) not over 55 gal. cap. (ICC-6B, 6C) not over 110 gal. cap. (ICC-17E, 37D, 37E, 37F) STC, not over 55 gal. cap. Wooden boxes, WIC (ICC-13A, 13B, 15C, 16A, 19A) not over 250 lbs. gr. wt. Wooden barrels or kegs, WIC (ICC-11B) not over 100 lbs. gr. wt.	Not permitted.	Not permitted.	Not permitted.
Sodium picramate, wet with 20% water.	An inflammable material in the form of a dark red, finely divided crystalline powder. When dry, and involved in fire, will burn with almost explosive rapidity. Outside containers will be marked: "Sodium picramate—20% water." Reject leaking containers or containers that show signs of having leaked.	Yellow	Stowage: "On deck under cover." Outside containers: Wooden barrels or kegs (ICC-10A, 10B) not over 50 gal. cap. Wooden boxes, WIC (ICC-13A, 13B, 15C, 16A, 19A) not over 250 lbs. gr. wt.	Not permitted.	Not permitted.	Not permitted.
Sodium sulfide	Shipping containers shall have marked thereon the gross, tare and net weight of the package.					
Strontium chlorate						
Strontium chlorate, wet						
Strontium nitrate						



Table E—Inflammable Solids and Oxidizing Materials—Continued

Descriptive name of article	Characteristic properties, precautions required, markings required	Label required	Required condition for transportation		
			Cargo vessel	Passenger vessel	Ferry vessel, passenger or vehicle
<i>Tankages:</i> Garbage tankage (containing less than 8% moisture).	Garbage tankage is the product obtained after digesting and extracting grease from garbage. It consists principally of vegetable fibers and is dried and ground.	Yellow	Stowage: "On deck protected."	Not permitted.	Not permitted.
Rough ammoniate tankages (containing less than 7% moisture).	Rough ammoniate tankages are made from ammoniates such as leather scrap, horn, hoofs, yard bag, hair, waste, felt waste, dried and ground.		Outside containers: Hermetically sealed metal lined wooden boxes. Airtight metal containers.		
Tankage fertilizers (containing less than 8% moisture).	Tankage fertilizers consist chiefly of various kinds of slaughterhouse scraps and offal. The above substances when over-dried are subject to spontaneous heating and ignition.		See: "Fibers, burnt, wet or damp." May be packed and shipped as for "Drugs, chemicals, medicines or cosmetics," which see.	May be packed and shipped as for "Drugs, chemicals, medicines or cosmetics," which see.	May be packed and shipped as for "Drugs, chemicals, medicines or cosmetics," which see.
Textile waste, wet.					
Trinitrobenzene, wet (when wet with not less than 10% of water and in a quantity not exceeding 16 ounces in one outside package).					
Trinitrotoluene, wet (when wet with not less than 10% of water and in a quantity not exceeding 16 ounces in one outside package).					
Wool waste, wet.					
X-ray film (nitrocellulose base).			See: "Fibers, burnt, wet, or damp." See: "Photographic film (Nitrocellulose base)."	No restrictions.	No restrictions.
X-ray film (cellulose acetate base).			No restrictions.	No restrictions.	No restrictions.
X-ray film scrap (nitrocellulose base).			See: "Pyroxylin plastic scrap."	No restrictions.	No restrictions.
X-ray film scrap (cellulose acetate base).			No restrictions.	No restrictions.	No restrictions.
Zinc chlorate.			See: "Chlorates." See: "Nitrates."		
Zinc nitrate.			See: "Permanganates."		
Zinc permanganate.			Stowage: "On deck under cover."	Not permitted.	Not permitted.
Zirconium metallic, dry.	An inflammable amorphous, black powder or grayish, brittle, insoluble in water. Slowly separate from all combustible materials, explosives or acids (white label). The above described dry crystalline wet with water, or in water.	Yellow	Outside containers: Wooden boxes, WIC (ICC-15A, 15B) not over 75 lbs. gr. wt.	Not permitted.	Not permitted.
Zirconium metallic, wet.	Outside containers: Wooden barrels or kegs (ICC-10A) not over 75 lbs. net wt. Wooden boxes, WIC (ICC-15A, 15B) not over 150 lbs. gr. wt.		Stowage: "On deck under cover."	Not permitted.	Not permitted.
Zirconium metallic, sludge.	Outside containers: Wooden barrels or kegs (ICC-10A) not over 75 lbs. net wt. Wooden boxes, WIC (ICC-15A, 15B) not over 150 lbs. gr. wt.		Stowage: "On deck under cover."	Not permitted.	Not permitted.
Shipping containers shall have marked thereon the gross, tare and net weight of the package.					
Zirconium nitrate.			See: "Nitrates."		
Zirconium picramate, wet with 20% water.	Zirconium picramate must be wet with not less than 20% of water by weight. Reject leaking containers or containers showing signs of having leaked.	Yellow	Stowage: "On deck under cover."	Not permitted.	Not permitted.
Shipping containers shall have marked thereon the gross, tare and net weight of the package.					



*The detailed regulations governing corrosive liquids, compressed gases, poisonous articles, combustible liquids, hazardous articles, and Part 147 (use of dangerous articles as ships' stores and supplies on board vessels) will appear in succeeding issues.*

(R. S. 4472, as amended; act of Oct. 9, 1940, Pub. 809, 76th Cong.; 54 Stat. 1023)

[SEAL] WAYNE C. TAYLOR,  
Acting Secretary of Commerce.

JANUARY 7, 1941.

[F. R. Doc. 41-154; Filed, January 7, 1941;  
11:48 a. m.]

### Notices

#### NAVY DEPARTMENT.

##### Bureau of Ships.

[NOD-1647]

##### SUMMARY OF CONTRACT FOR PLANT FACILITIES

CONTRACTOR: TODD GALVESTON DRY DOCKS, INC., GALVESTON, TEXAS

JANUARY 10, 1941.

Under date of December 23, 1940, the Navy Department entered into a contract with Todd Galveston Dry Docks, Inc. for the acquisition, construction, and installation of additional plant facilities, including a floating drydock with attendant facilities, at the plant of that corporation at Galveston, Texas, at a total estimated cost of \$2,254,342.75.

The contract is a revision of Form I, Bureau of Ships—National Defense Type, Emergency Plant Facilities contract, covering certification with reimbursement by the Navy over a period of five (5) years following completion of the facilities. The dry dock is to be made available for use in the Gulf Area and in carrying out this objective the contract provides that the Navy shall have the right to remove the floating dry dock at any time, in which case an equitable settlement with the contractor is provided for in the contract.

S. M. ROBINSON,  
Chief of Bureau.

[F. R. Doc 41-312; Filed, January 14, 1941;  
9:50 a. m.]

[NOD-1601]

##### SUMMARY OF CONTRACT FOR CONSTRUCTION OF MINE LAYERS

CONTRACTOR: WILLAMETTE IRON AND STEEL CORPORATION, PORTLAND, OREGON

JANUARY 10, 1941.

Under date of January 7, 1941, the Navy Department entered into a contract with the Willamette Iron and Steel Corporation for the construction of two mine layers at its plant at Portland, Oregon, on

a cost-plus-a-fixed-fee basis, the estimated cost per vessel, exclusive of the fixed fee of \$720,000 payable to the contractor, being \$12,000,000.

The above-mentioned contract contains provisions for the suspension, termination, and cancellation of the contract, with an equitable basis for settlement, in order to safeguard the Government's interest should the public exigency require that such action be taken.

The estimated cost is subject to adjustment for changes in labor and material costs and both the estimated cost and the fixed fee payable to the contractor under the contract are subject to adjustment for changes in the plans and specifications which may be ordered by the Navy Department during the course of construction.

S. M. ROBINSON,  
Chief of Bureau.

[F. R. Doc. 41-311; Filed, January 14, 1941;  
9:50 a. m.]

#### DEPARTMENT OF THE INTERIOR.

##### Bituminous Coal Division.

[Docket No. A-461.]

PETITION OF DISTRICT BOARD 11 FOR REVISION OF EFFECTIVE MINIMUM PRICES FOR MINE INDEX 106, DISTRICT 11, PURSUANT TO SECTION 4 II (D) OF THE BITUMINOUS COAL ACT OF 1937

##### MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

The original petition in the above-entitled matter, filed with the Division on December 9, 1940, prays for the issuance of a temporary order, to be effective for a period of ninety days, reducing the effective minimum prices for the coals of Mine Index 106 of District 11 (Morgan Mine, F. C. Morgan Coal Company) for both rail and truck shipment, as follows:

	Size groups											
	1	2	4, 5, 6	7	8	9	10, 11, 12	13, 14	15, 16	26, 27	28, 29	
Reductions....	35¢	15¢	25¢	35¢	30¢	20¢	15¢	20¢	10¢	20¢	1+5	

<sup>1</sup> (5-cent increase).

The petition also prays that a price of \$1.15 be established in Size Group 33, in which the Morgan Mine has not heretofore been classified and priced. District Board 10 has filed a petition of intervention herein, praying that no action be taken prejudicial to its interests or to those of the code members it represents.

On December 18, 1940, an informal conference concerning temporary relief in this matter was held, pursuant to § 301.106 (d) of the Rules and Regulations Governing Practice and Procedure in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, upon telegraphic notice to the original petitioner and the Statistical Bureau for District 11, and notice by

memorandum to the Consumers' Counsel. The original petitioner was instructed to notify interested persons of the conference and the Statistical Bureau to post its notice thereof.

Appearances at the conference were noted by the original petitioner and the F. C. Morgan Coal Company.

The formal documents and the representations made at the conference in this matter indicate that:

The Morgan mine is a relatively non-stripping operation in District 11. It is situated in Mill Creek Township in Fountain County in the Brazil-Clinton Sub-district of District 11. It has a capacity of about 25,000 tons per month, and is principally a truck mine. It is favorably located at the junction of two highways and has excellent facilities for loading trucks, being able to load six trucks at one operation quickly and efficiently, whereas in the case of many truck mines, a loading operation requires a whole night. Morgan probably has the most modern tippie of any truck mine in District 11. The Morgan Mine apparently produces coal from the Minshall Vein in District 11. Minshall coal is normally shiny and considered a good-looking coal, with a good consumer acceptance for domestic use. In accordance with the proposals of District Board 11, mines producing Minshall coal, which are almost exclusively truck shippers, have consistently been classified and proved the same as those producing the Brazil Block coal of District 11, which is likewise a well regarded domestic coal.

At the time that the minimum price structure was in the process of promulgation, in General Dockets No. 15 and 15-A, which preceded the establishment on October 1, 1940, of the current price schedules, there was little information available with respect to the Morgan Mine on the basis of actual operations. The mine had barely opened in January 1940, when it was virtually shut down for the balance of the winter because water froze in the box cut it was digging. Operations were spasmodic thereafter. Its tippie was not in proper working order until September or October of 1940. Little effort was made to market its coal during the summer when lower prices prevailed. The emphasis was directed towards uncovering enough coal during that period to permit the commencement of normal operations during the following winter season. The mine shipped only inconsequential tonnages prior to September 1940.

As a result, Morgan had had little or no significant operating experience when the District Board was called upon to propose price classifications and minimum prices for its coals in the general price proceedings which culminated in the effectuation of minimum prices in October 1940. Apparently, on the analogy of other mines working the Minshall Vein in the same and neighboring counties, most of which are shaft operations, the Board proposed that Mine Index 106



likewise be classified and priced the same as the Brazil Block Mines.

On September 24, 1940, the F. C. Morgan Coal Company petitioned the District Board to revise the classification it had proposed for the Morgan Mine, requesting that it be priced the same as the Fifth Vein mines in the Brazil-Clinton Subdistrict (Substandard Fifth Vein, Price Group 3, all-rail schedule for District 11); or, in other words, that its prices be reduced as follows:

	Size groups						
	1	2	3	4	5	6	7
Reductions.....	60¢	40¢	25¢	25¢	25¢	25¢	35¢

  

	Size groups						
	8	9	10, 11, 12	13, 14	15, 16	26, 27	
Reductions.....	30¢	25¢	20¢	20¢	10¢	1 + 5¢	

<sup>1</sup> Price increase.

Subsequently, on November 15, 1940, a representative of the F. C. Morgan Coal Company appeared before the District Board and presented certain material in support of this petition. The Board, however, took the position that additional data should be developed by the code member and presented at its next meeting. The code member complied and presented further information at the next meeting on December 5, 1940. After consideration of this material, the Board voted unanimously that a petition be submitted to the Division pursuant to section 4 II (d) of the Act praying that for a period of ninety days the Morgan Mine be accorded the lower classification it requested as to screening sizes (Size Groups 13 to 16, inclusive, 26 to 29, inclusive, and 33); and that as to prepared sizes its coals be accorded the same prices as Standard Fourth Vein<sup>1</sup> coals in Size Groups 1, 2 and 3, and as Standard Fifth Vein<sup>2</sup> coals in Size Groups 4 to 12, inclusive, or part of the relief it originally requested. The original petition in this proceeding was accordingly filed, whose prayer for relief on behalf of Mine Index 106 asks reductions smaller by 25 cents than those originally requested by the code member in Size Groups 1, 2 and 3, and by 5 cents in Size Groups 9 to 12, inclusive.

There are various indications that the Minshall coal being mined by the Morgan Mine is inferior to other coal lying in the same vein. The Ayrshire Patoka Collieries Corporation, a code member in District 11, has recently acquired a large tract of Minshall coal in the northern part of Parke County, about five of six

miles south of the area now being worked by the Morgan Mine. Analyses of samples of Minshall coal taken by Ayrshire-Patoka from its property and from the Morgan property, showed a substantially higher ash content, on a dry basis, for the latter. Analyses of Morgan coal made for the District Board and likewise analyses taken at the behest of the F. C. Morgan Coal Company, indicate analytical inferiority to Brazil Block coal, which is also produced by the Morgan people and with which its Minshall coal is presently priced at a parity, although the operator considers the latter to be much inferior. While most Minshall coal has a shiny, attractive appearance, that produced by the Morgan Mine is dull and slabby.

As previously noted, the Morgan Mine shipped only negligible tonnages up to September, 1940, not having been ready for actual operation until then. During September it shipped a total of 3,927 tons. Since minimum prices became effective on October 1, 1940, the mine has been idle a large part of the time. Despite its favorable location and modern equipment it has shipped very little coal in comparison with its capacity of about 25,000 tons per month. Its shipments in October, November and the first half of December were 3,301, 4,694, and 2,150 tons, respectively. On the other hand, many truck mines adjacent to the Morgan Mine, and likewise working the Minshall Vein, but mostly through deep shaft operations, have been operating close to capacity.

Up to date, shipments from the Morgan Mine have been chiefly for experimental and testing purposes. Communications from several consumers, who have tried its coal, and who were designated by name at the conference, indicate their belief that the coal is now priced too high, particularly in comparison with Brazil Block coal, and their disinclination to purchase the former at the effective prices. Likewise, a communication from a sales agent contacted by the F. C. Morgan Coal Company to secure rail outlets for the coal stated that this would be impossible under the present prices.

No one appeared at the conference in opposition to the relief requested in the petition herein. However, a telegram was received from eight operators in Fountain and Parke Counties, District 11, stating that while they did not oppose the relief sought for Mine Index 106, since the latter is more favorably located, more modernly equipped, and has a greater productive capacity, than their mines, they would be prejudiced unless any relief granted herein were likewise extended to all other mines in Fountain County and one mine in Parke County.

No facts were set forth in the telegram concerning the production and running time of any other mines in Fountain or Parke County since minimum prices became effective, nor was there any state-

ment to the effect that they had been thereby adversely affected.

In connection with the telegram the Managing Director of District Board 11 stated that to his knowledge at least one of three mines mentioned therein had operated at capacity since October 1, 1940; that the majority of the truck mines in Fountain and Parke Counties had been delinquent in responding to a request of the District Board for reports as to their running time in October, November and December, 1940; and that if any of the operators in question felt aggrieved by the classifications accorded their coals, the District Board would accord due consideration to any petition in that connection. He also pointed out that alternatively they might file a petition directly with the Division.

In view of the foregoing circumstances, it appears to the Director that a reasonable showing of necessity has been made for the extension of the temporary relief requested, pending final disposition of this proceeding, to Mine Index 106, of District 11; that an adequate showing has been made of actual or impending injury in the event that such relief is not granted; and that an adequate showing has been made that other interested persons will not be unduly prejudiced by the granting of such relief pending final disposition of this proceeding.

Now, therefore, it is ordered, That the temporary relief herein prayed for is granted as follows: Commencing forthwith, and for a period of ninety days from the date hereof, the effective minimum prices for the coals of the Morgan Mine, Mine Index 106, District 11, are revised as provided in "Temporary Schedule A" annexed hereto<sup>3</sup> and hereby made a part hereof.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: January 11, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-314; Filed, January 14, 1941;  
10:41 a. m.]

[Docket No. A-291]

PETITION OF GAULEY MOUNTAIN COAL COMPANY, A CODE MEMBER IN DISTRICT 7, FOR A RECLASSIFICATION IN SIZE GROUPS 18-21, AND FOR ESTABLISHMENT OF CLASSIFICATIONS IN SIZE GROUPS 22 AND 24-26, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER OF DISMISSAL

Petitioner in the above-entitled matter having requested the dismissal of its pe-

<sup>3</sup> Not filed as part of the original document.

<sup>1</sup> Price Group 5, All Rail Schedule.

<sup>2</sup> Price Groups 8-12, inclusive, All Rail Schedules.



tition, now scheduled for hearing on January 15, 1941;

*It is ordered*, That the above-entitled petition is dismissed without prejudice.

Dated: January 13, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-315; Filed, January 14, 1941;  
10:42 a. m.]

[Docket No. 1483-FD]

IN THE MATTER OF HARRY OATES,  
DEFENDANT

NOTICE OF AND ORDER FOR POSTPONEMENT  
OF HEARING

A hearing in the above-entitled matter having been scheduled for January 15, 1941, at 10 a. m. in the County Court House at Madisonville, Kentucky;

*It is ordered*, That the hearing is postponed to February 20, 1941, at the same time and place.

Dated: January 11, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-321; Filed, January 14, 1941;  
11:19 a. m.]

[Docket No. 1486-FD]

IN THE MATTER OF C. H. BOWMAN,  
DEFENDANT

NOTICE OF AND ORDER FOR POSTPONEMENT OF  
HEARING

A hearing in the above-entitled matter having been scheduled for January 15, 1941, at 10 a. m. in the County Court House at Madisonville, Kentucky;

*It is ordered*, That the hearing is postponed to February 20, 1941, at the same time and place.

Dated: January 11, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-322; Filed, January 14, 1941;  
11:19 a. m.]

[Docket A-46]

PETITION OF BLUE BIRD COAL COMPANY FOR  
REVISION OF THE EFFECTIVE MINIMUM  
PRICES FOR PRICE GROUP 1 OF DISTRICT  
No. 10, PURSUANT TO SECTION 4 II (d)  
OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FOR CONTINUANCE OF  
HEARING

The original petitioner in the above-entitled matter having requested that the hearing therein heretofore scheduled for January 14, 1941, should be postponed for a period of one month, and it appearing to the Director that there are reasonable grounds why the postponement should be ordered;

*Now, therefore, it is ordered*, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of January 14, 1941, until 10 o'clock in the forenoon of February 13, 1941, at the

place heretofore designated and before the officers previously designated to preside at said hearing.

Dated: January 13, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-323; Filed, January 14, 1941;  
11:19 a. m.]

[Docket No. A-81]

PETITION OF DISTRICT BOARD 8 FOR THE  
ESTABLISHMENT OF PRICE CLASSIFICATIONS  
AND MINIMUM PRICES FOR THE COALS OF  
CERTAIN MINES NOT HERETOFORE CLASSI-  
FIED AND PRICED

MEMORANDUM OPINION, AND ORDER GRANTING  
ADDITIONAL TEMPORARY RELIEF TO THE  
SHELBY COAL COMPANY, INCORPORATED,  
BIG SANDY MINE, INDEX NO. 2545

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was filed with the Bituminous Coal Division by District Board 8, proposing price classifications and minimum prices for the coals of certain mines in District 8 not theretofore classified and priced. By order of the Director dated October 12, 1940, the Big Sandy Mine (Mine Index No. 2545) of the Shelby Coal Company, was temporarily classified "C" in Size Groups 15, 16, and 17 for all shipments except truck to destinations other than Great Lakes. This classification, which was in accordance with the proposal of District Board 8 in the original petition, was embodied in "Temporary Schedule A", annexed to and made part of said Order of October 12, 1940.

At the final hearing held in this matter on November 13-18, 1940, the representative of District Board 8 stated that the proposal of a "C" classification for Size Groups 15, 16, and 17 had been a mistake; that the Board at its meeting of October 29-30, 1940, had rescinded its former action and proposed a "D" classification, and that notice of this change to "D" classification for Size Groups 15, 16, and 17 had been sent to all code members in District 8 on November 5, 1940.

No evidence was introduced controverting the amended proposal of the District Board.

It appears that the Big Sandy Mine (Index No. 2545) should temporarily be classified "D" in Size Groups 15, 16, and 17 for all shipments except truck, to destinations other than Great Lakes, pending final disposition of this matter.

It further appears that granting such additional temporary relief will not prejudice other interested persons in advance of the final disposition of the matter.

*Now, therefore, it is ordered*, That, pending final disposition of the above-entitled matter, "Temporary Schedule A", annexed to and made part of the Order of October 12, 1940, containing Temporary Effective Minimum Prices for District No. 8, for All Shipments except Truck, be and the same is hereby modi-

\* 5 F. R. 4113.

fied so that the coals of the Big Sandy Mine (Index No. 2545) of the Shelby Coal Company shall be classified "D" for Size Groups 15, 16, and 17, for shipment to destinations other than Great Lakes.

Notice is hereby given that applications to stay, terminate or modify temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: January 13, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-328; Filed, January 14, 1941;  
11:20 a. m.]

[Docket No. A-184]

PETITION OF A. E. AKENHEAD (A & A COAL  
CO.) FOR REVISION OF THE EFFECTIVE  
MINIMUM PRICES ESTABLISHED FOR THE  
COALS OF HIS A & A COAL CO. MINE,  
MINE INDEX NO. 1952, DISTRICT NO. 4,  
IN SIZE GROUPS 6, 7 AND 8, PURSUANT TO  
SECTION 4 II (d) OF THE BITUMINOUS  
COAL ACT OF 1937

ORDER OF DISMISSAL

The above entitled petition having been duly set for hearing before Floyd McGown, an Examiner of the Division, on December 2, 1940; and

At the hearing before the Examiner the original petitioner having made a motion to withdraw the petition; and there being no objection thereto; and it appearing that no right will be prejudiced thereby:

*It is ordered*, That the above entitled petition be dismissed without prejudice.

Dated: January 13, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-331; Filed, January 14, 1941;  
11:21 a. m.]

[Docket No. A-228]

PETITION OF THE CAPROCK FUEL COMPANY,  
A CODE MEMBER IN DISTRICT NO. 16, FOR  
MODIFICATION OF THE EFFECTIVE MINIMUM  
PRICES ESTABLISHED FOR ITS COALS  
IN SIZE GROUPS 1-6, INCLUSIVE, AND  
8-13, INCLUSIVE, WHEN SHIPPED BY  
TRUCK INTO MARKET AREAS 217 AND 218,  
FOR SPECIAL DEDUCTIONS IN SIZE  
GROUPS 11 AND 12 FOR SALES TO THE  
VALMONT PLANT OF THE PUBLIC SERVICE  
COMPANY OF COLORADO, AND FOR  
OTHER RELIEF, PURSUANT TO SECTION 4  
II (d) OF THE BITUMINOUS COAL ACT OF  
1937

ORDER CORRECTING ERROR

An error inadvertently occurred in the preparation of the Memorandum Opinion and Order Concerning Temporary Relief in the above-entitled matter,



dated January 2, 1941,<sup>1</sup> and in the order designating the time and place of hearing and redesignating the trial examiners in the above-entitled matter and other matters, dated December 26, 1940, in describing the petitioner as a code member in District No. 17, whereas the petitioner should have been described as a code member in District No. 16.

In the caption of each of the aforesaid orders the Caprock Fuel Company should be described as a code member in District No. 16.

Accordingly, it is so ordered.

Dated: January 13, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-329; Filed, January 14, 1941;  
11:21 a. m.]

[Docket No. A-429]

**PETITION OF McCLANE MINING COMPANY, A CODE MEMBER IN DISTRICT NO. 2, FOR REVISION OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COAL PRODUCED AT THE RICH HILL MINE IN SIZE GROUPS 1 THROUGH 9, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937**

#### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 19, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered*, That W. A. Shipman or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceed-

ings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to Section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 14, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to petitioner's request for reclassification of Size Groups 1 and 2 from "C" to "G", reclassification of Size Groups 3 and 4 from "C" to "F", and reclassification of Size Groups 5 through 9 from "F" to "H", for shipment to all market areas.

Dated: January 13, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-326; Filed, January 14, 1941;  
11:20 a. m.]

[Docket No. A-439]

**PETITION OF DISTRICT BOARD NO. 22 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS PRODUCED IN DISTRICT NO. 22 AND FOR WHICH PRICE CLASSIFICATIONS AND MINIMUM PRICES HAVE NOT HERETOFORE BEEN ESTABLISHED, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937**

#### NOTICE CORRECTING CLERICAL ERROR

A clerical error inadvertently occurred in the duplicated copies of the Temporary Supplement annexed to the Notice of and Order for Hearing and Granting Temporary Relief, dated December 22, 1940, in the above-entitled matter.

The price appearing in the second line from the bottom of the duplicated copies of the Temporary Supplement for coal in Size Group 2 produced by Mert Calvert, operating the Calvert Mine in Cascade Country, reads "275." This price should be "375" to conform with the price therefor appearing in the Temporary Supplement annexed to the original Notice and Order executed by the Director.

Dated: January 13, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-330; Filed, January 14, 1941;  
11:21 a. m.]

[Docket No. A-459]

**PETITION OF BEECH GROVE COAL COMPANY, A CODE MEMBER IN DISTRICT NO. 4, FOR REVISION OF THE EFFECTIVE MINIMUM PRICES OF RAIL COAL FOR SHIPMENT TO ALL MARKET AREAS**

#### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 12, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered*, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 7, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to petitioner's request for a gen-

<sup>1</sup> 6 F.R. 108.



eral reduction of 15 cents per ton for all coal shipped by rail into any market areas.

Dated: January 13, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-327; Filed, January 14, 1941;  
11:20 a. m.]

[Docket No. A-522]

**PETITION OF THE MONITOR COAL COMPANY,  
A CODE MEMBER IN DISTRICT NO. 4, FOR  
REVISION OF THE EFFECTIVE MINIMUM  
PRICE OF RUN OF MINE COAL**

**NOTICE OF AND ORDER FOR HEARING**

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 14, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered*, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 10, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related

thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the request of petitioner for reduction in the price of mine run coal for sale to the Pennsylvania Railroad from \$2.05 per ton to \$1.95 per ton. Petitioner specifically requests a price the same as the effective minimum price for the mine of the Carbon Hill Coal Company.

Dated: January 13, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-324; Filed, January 14, 1941;  
11:19 a. m.]

[Docket No. A-527]

**PETITION OF DISTRICT BOARD 9 FOR REVI-  
SION OF EFFECTIVE MINIMUM PRICES ES-  
TABLISHED FOR RAILROAD LOCOMOTIVE  
FUEL PRODUCED IN DISTRICT NO. 9 FOR  
SALE TO THE CANADIAN NATIONAL RAIL-  
WAYS AND THE GRAND TRUNK WESTERN  
RAILROAD**

**NOTICE OF AND ORDER FOR HEARING ON  
TEMPORARY AND PERMANENT RELIEF**

An original petition, requesting temporary and permanent relief, having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937;

*It is ordered*, That a hearing on the prayers for temporary and permanent relief in the above-entitled matter be held, under the applicable provisions of said Act, and the rules and regulations of the Division, on February 4, 1941, at 10 o'clock a. m. (eastern standard time) in a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

*It is further ordered*, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law: *Provided, however*, That the prayer for temporary relief shall be reserved within the jurisdiction of the Director for any such action as may be deemed by him to be appropriate at any

time during the course of the proceedings in the above-entitled matter.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become parties herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 29, 1941.

The matter concerned herewith is in regard to the requested revision of effective minimum prices established for railroad locomotive fuel produced in District No. 9 for sale to the Canadian National Railways and the Grand Trunk Western Railroad.

All persons are hereby notified that the hearing in the above-entitled matter and any orders therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment of the original petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of said original petition.

Dated: January 13, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-325; Filed, January 14, 1941;  
11:20 a. m.]

**DEPARTMENT OF AGRICULTURE.**

**Agricultural Adjustment Administra-  
tion.**

**1941 QUOTA FOR DOMESTIC BEET SUGAR  
AREA**

**NOTICE OF HEARING**

Pursuant to the authority contained in section 205 (a) of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, and on the basis of the information now before me, I, Grover B. Hill, Acting Secretary of Agriculture, do hereby find that the allotment of the 1941 sugar quota for the domestic beet sugar area is necessary to prevent the disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States, and hereby give notice that a public hearing will be held at Chicago, Illinois, in Private Dining Room No. 2, Stevens Hotel, on January 29, 1941, at 10 a. m.

The purpose of such hearing is to receive evidence to enable the Secretary of Agriculture to make a fair, efficient and equitable distribution of the 1941 sugar quota for the domestic beet sugar area



among persons who market such sugar in the continental United States.

Robert H. Shields, John C. Bagwell, and Charles M. Nicholson are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearing.

Done at Washington, D. C., this 14th day of January 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 41-317; Filed, January 14, 1941;  
11:08 a. m.]

[SRB-501-Fla. Celery]

1941 AGRICULTURAL CONSERVATION PROGRAM FOR THE FLORIDA CELERY AREA

SOUTHERN REGION BULLETIN 501

(Program effective from January 1, 1941, to December 31, 1941)

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- 2 Soil-building goals, payments, and practices.
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- 14 Authority, availability of funds, and applicability.
  - (a) Authority.
  - (b) Availability of funds.
  - (c) Applicability.

Payments will be made for participation in the 1941 Agricultural Conservation Program for the Florida Celery Area (hereinafter referred to as the 1941

program) in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

SECTION 1. *Allotments, yields, payments, and deductions.* Farm acreage allotments and farm normal yields shall be determined by the county committee, with the assistance of other local committees in the county, in accordance with the provisions contained herein and instructions issued by the Agricultural Adjustment Administration. The acreage allotments determined for the farms in a county shall not exceed the applicable county acreage allotments established for the county by the Agricultural Adjustment Administration, and the sum of the acreage allotments for farms with respect to which allotments are determined shall not exceed their proportionate share of the county acreage allotments. The average yield for all farms in any county with respect to any such crop shall not exceed the county average yield for the crop established by the Secretary.

(a) *Celery*—(1) *Farm allotments.* Acreage allotments for celery shall be determined on the basis of tillable acreage, crop-rotation practices, type of soil, and topography, giving special consideration to small farms. Consideration shall also be given to the other special crop acreage allotments determined for the farm. The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to such factors.

(2) *Farm normal yields.* The normal yield for celery for each farm for which a celery allotment is determined or a deduction is computed shall be the yield which may reasonably be expected from the land devoted to the production of celery in 1941, with due consideration for type of soil, production practices, the general fertility of the land, and the yield customarily made on the farm.

(3) *Payments.* The payment is 2½ cents a crate of the normal yield per acre of celery for the farm for each acre in the celery acreage allotment, or, if the acreage planted to celery is less than 80 percent of the celery acreage allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to celery, unless the county committee finds that failure to plant 80 percent of such celery acreage allotment was due to flood or drought: *Provided*, That the acreage on which payment is made shall not exceed the acreage on which an approved green manure crop is plowed or disked under. Such acreage of the green manure crop shall not count toward earning the soil-building allowance for the farm. If the acreage planted to celery is in excess of the allotment, there shall be a deduction at the rate of 20 cents for each crate of the normal yield of the excess acreage.

(4) *Acreage planted to celery* means the acreage of land set to celery for any

purpose: *Provided*, That all or any part of any celery acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to celery on the farm, may be considered as not having been planted.

(b) *Flue-cured tobacco*—(1) *Farm allotments.* An allotment for flue-cured tobacco shall be determined for each farm on which such tobacco was produced in one or more of the 5 years 1936-1940. The farm allotments for 1941 shall be the same as the 1940 allotments.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any flue-cured tobacco allotment may, in the case of violation of marketing quota regulations for the 1940-1941 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco allotment, the allotment shall be reduced to the acreage planted to tobacco.

(2) *Farm normal yields.* A normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed shall be determined in accordance with the following provisions:

(a) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936-1940 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(b) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.



(3) *Payments.* The payment is 0.8 cent for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of 8 cents for each pound of the normal yield of the excess acreage.

(c) *Peanuts*—(1) *Farm allotments.* In Marion County, designated as a commercial peanut county, peanut allotments shall be determined for farms on the basis of the acreage of peanuts for market customarily grown on the farm, as reflected in the average acreage of peanuts grown on the farm for market in one or more of the years 1938, 1939, and 1940, with adjustments for tillable acreage, taking into consideration other special crop acreage allotments determined for the farm.

Acreage allotments may also be determined for farms on which peanuts will be grown for market in 1941 for the first time since January 1, 1938, on the basis of the tillable acreage available for the production of peanuts, taking into consideration other special crop acreage allotments determined for the farm, the peanut-producing experience of the operator, crop-rotation practices, physical factors affecting the production of peanuts for market, type of soil, and topography. If the acreage of peanuts planted for market in 1941 on any such farm is less than the 1941 peanut allotment, the allotment shall be reduced to the acreage planted to peanuts for market.

(2) *Farm normal yields.* A normal yield for peanuts shall be determined for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land.

(3) *Payments.* The payment is 11½ cents for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of \$1.50 for each 100 pounds of the normal yield of the excess acreage.

(4) *Peanuts for market* means all peanuts harvested for nuts on any farm for which an allotment is determined. For any other farm, peanuts for market means all peanuts harvested for nuts if any peanuts are separated from the vines by mechanical means and any peanuts are sold to persons not living on the farm.

(d) *Irish potatoes*—(1) *Farm allotments.* In Palm Beach County, designated as a commercial potato county, a potato allotment shall be determined for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes customarily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography.

The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to such factors.

(2) *Farm normal yields.* A normal yield of potatoes shall be determined for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land.

(3) *Payments.* The payment is 2.3 cents for each bushel of the normal yield for each acre in the potato allotment, or, if the acreage of potatoes is less than 80 percent of the farm's potato allotment, for an acreage equal to 125 percent of the acreage of potatoes, unless the county committee finds that the acreage of potatoes is less than 80 percent of the allotment because of flood or drought. There shall be a deduction at the rate of 30 cents for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

(4) *Acreage planted to potatoes* means the entire acreage of land on which potatoes are planted, except (i) when grown in home gardens for use on the farm, and (ii) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the producer, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

(e) *Commercial vegetables*—(1) *Farm allotments.* An acreage allotment of commercial vegetables shall be determined for each farm on which the average acreage of land normally planted to commercial vegetables is 3 acres or more. The allotment shall be determined on the basis of the 1936-1937 average acreage or the average of a later period adjusted to the 1936-1937 level, with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for all farms in the county, including farms on which vegetables were not grown in the period 1936-1940, inclusive, shall not exceed the 1936-1937 county average acreage of commercial vegetables.

(2) *Payments.* The payment is \$1.30 for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of \$20.00 for each

acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

(3) *Commercial vegetables or commercial vegetable acreage* means the acreage of land on which annual vegetable or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (i) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm and (ii) cowpeas, black-eyed peas, watermelons, sweetpotatoes, cantaloupes, bulbs and flowers, and ferns: *Provided*, That all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

(f) *Miscellaneous*—(1) *Double cropping, interplanting, strip cropping, etc.*

(a) If peanuts (or commercial vegetables or celery or Irish potatoes) and another crop that is ordinarily intertilled (including corn or truck crops but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of peanuts (or commercial vegetables or celery or Irish potatoes) are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to peanuts (or commercial vegetables or celery or Irish potatoes). If the rows or strips of peanuts (or commercial vegetables or celery or Irish potatoes) are at least twice the normal width, only that part of the land that is actually occupied by peanuts (or commercial vegetables or celery or Irish potatoes) shall be considered as planted to peanuts (or commercial vegetables or celery or Irish potatoes).<sup>1</sup>

(b) If a special crop and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are in alternate rows or strips, or both, all of the land shall be considered as planted to the special crop if the rows or strips of the special crop are less than 13½ feet apart; if the rows or strips of the special crop are 13½ feet or more apart, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

(c) If a special crop is planted in commercial orchards, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

(2) *Deduction for failure to have a minimum acreage of erosion-resisting or soil-conserving crops and land uses.* In the Florida Celery Area, where no total

<sup>1</sup> It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as devoted to one or more special soil-depleting crops.



soil-depleting allotments will be established under the 1941 program, a deduction of \$5.00 shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than 20 percent of the cropland on the farm in all counties, except that in Marion County such percentage shall be 30 percent. Such deduction shall apply only to farms having a celery, tobacco, peanut, or potato allotment.

The following crops, *except those seeded in the fall of 1941*, when grown and cared for in a workmanlike manner on cropland, will count toward meeting this requirement:

(a) Biennial or perennial legumes, perennial grasses, common ryegrass, or Natal grass.

(b) Lespedeza, crotalaria, cowpeas, velvetbeans, or sweetclover.

(c) Soybeans from which seed is not harvested by mechanical means—

(d) Green manure crops meeting specifications for soil-building practice 9.

(e) Small grains seeded in the fall of 1940 which are (i) used as a nurse crop for lespedeza or sweetclover and the nurse crop is cut green for hay in the spring of 1941, (ii) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (iii) used as a green manure crop, or (iv) grazed and not harvested for grain or hay.

(f) Forest trees planted on cropland under the 1940 or 1941 program other than those planted in the fall of 1941. Any of these crops may qualify if grown on cropland on which another crop is grown in 1941, but any particular crop will count under only one of the above items. Acreages of these crops interplanted with intertilled row crops, such as corn, shall not qualify.

**Sec. 2. Soil-building goals, payments, and practices—(a) County goals.** The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

(b) *Farm goals.* Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm to conserve and improve soil fertility and prevent erosion, and which will tend to accomplish the goals established for the county with

respect to particular soil-building practices.

(c) *Soil-building allowance.* The soil-building allowance which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of items (1), (2), (3), and (4) below:

(1) 70 cents per acre of cropland in excess of the sum of the allotments for celery, tobacco, peanuts, and Irish potatoes for which payments are computed;

(2) \$1.35 per acre of commercial orchards on the farm on January 1, 1941;

(3) 25 cents per acre of fenced non-crop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) The amount earned by planting forest trees in accordance with practice 11 or 12, not to exceed \$15.00.

If for any farm the sum of the maximum payments computed for celery, tobacco, peanuts, Irish potatoes, and commercial vegetables and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

(d) *Deduction for failure to maintain practices under previous programs.* Where the county committee, in accordance with instructions of the State committee, determines that forest trees planted, perennial legumes or grasses seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

(e) *Soil-building practices.* The soil-building practices listed below, if included in the county soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from January 1, 1941, to December 31, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the Agricultural Adjustment

Administration shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

#### Application of materials

1. Application of the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, lespedeza, crotalaria, Natal grass, common ryegrass, or permanent pasture:

(a) 48 pounds of available phosphate ( $P_2O_5$ )—\$1.50. Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or one bag containing not less than 100 pounds of triple superphosphate furnished by the Agricultural Adjustment Administration.

(b) 500 pounds of basic slag—\$1.50.

(c) 600 pounds of raw rock or colloidal phosphate containing not less than 28 percent of total phosphorus pentoxide ( $P_2O_5$ ) and ground fine enough for 85 percent to pass through a 200-mesh sieve—\$1.50.

(d) 750 pounds of raw rock or colloidal phosphate containing not less than 18 percent of total phosphorus pentoxide ( $P_2O_5$ ) and ground fine enough for 80 percent of the raw rock to pass through a 100-mesh sieve, and for the colloidal phosphate to shake through a 6-mesh sieve and 85 percent of it to wash through a 325-mesh sieve—\$1.50

*Specifications.* The material must be evenly distributed. In the case of lespedeza seeded alone and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after June 15. The crops to which the material is applied must not be seeded or grown with an intertilled crop. The material may be applied to volunteer crotalaria, Natal grass, or lespedeza if the application is made between January 1 and July 15. Credit will not be given for the application of phosphate to crotalaria, Natal grass, or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Basic slag must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve. This practice is not to be used oftener than once every third year on pastures. The maximum payment shall not exceed \$4.50 per acre.

#### 2. Application of:

(a) 1 ton of ground dolomitic limestone—\$3.50.



(b) 1 ton of other ground limestone (or its equivalent)—\$2.50.

**Specifications.** The limestone must be 90 percent or more calcium carbonate equivalent; if limestone of lower grade than this is used, it must be applied in amounts sufficient to supply calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone.
- 1,400 pounds of hydrated lime.
- 2,000 pounds of ground oyster or coquina shells.
- 3,000 pounds of limestone from Braden Quarries.

The ground limestone, oyster shells, and coquina shells must be of sufficient fineness so that 98 percent will pass through a 10-mesh sieve and 40 percent through a 100-mesh sieve.

3. Application of not less than 2 tons, air-dry weight, of straw or equivalent mulching materials (excluding barnyard and stable manure) per acre in orchards or on commercial vegetable land—\$1.50 per acre.

**Specifications.** The following materials are considered the equivalent of 2 tons, air-dry weight, of straw:

- 1½ tons crotalaria or other hay-dry legumes.
- 2 tons air-dry muck.
- 2 tons leaves (pine needles excluded).
- 18 tons hyacinths (green basis).

Producers who expect to use this practice shall notify the county committee prior to the carrying-out of this practice and shall substantiate work done by such supporting data as are required by the county committee.

#### Seedings

4. Seeding annual lespedeza—\$1.00 per acre.

**Specifications.** Annual lespedeza must be seeded at not less than 25 pounds per acre and not later than March 31, 1941. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

#### Pasture

5. Establishment of a permanent vegetative cover by planting sod pieces of Carib, centipede, Para, Bermuda, carpet, or Bahia grasses—\$3.00 per acre.

**Specifications.** Establishment of vegetative cover under this practice may be done on cropland or noncropland. Land to be sodded must be prepared as for seeding a permanent pasture. Sod pieces canes, or rooted runners must be planted not more than 2½ feet apart and adequately covered. If sod pieces are broadcast at the above rate on land that has been broken or disked, sufficient plowing must be done to properly cover the sod pieces. Where adapted, 5 pounds of lespedeza should also be sown in addition to the sodding. A permanent vegetative

cover shall not be deemed to have been established until 75 percent of the sod pieces show healthy growth.

6. Seeding permanent pasture mixtures containing a full seeding of Dallis, Bermuda, carpet, or Bahia grass—\$3.00 per acre.

**Specifications.**—(a) Preparation. The acreage which is to be established in pasture by the use of grass seed shall have the native wire grass, palmetto, or other vegetation removed or destroyed and all the top soil stirred by double-harrowing, or its equivalent, to prepare a seedbed. The seedbed for grass seed shall be firm and shallow rather than deep and soft.

(b) In order to receive credit under this practice, the preparation and seeding must be done in blocks or strips which can be accurately measured without extraordinary expense to the association. No blocks of less than 1 acre in area will be considered and boundary lines must be reasonably straight. Where preparation and planting is done in strips, the strips must be reasonably straight and of uniform width. Such strips must be at least five-tenths (0.5) chains (33 feet) in width and must be entirely clear of trees and shrubs to qualify under this practice.

(c) Minimum rates of seeding per acre:

(1) Seeding grasses. At least 10 pounds of Bermuda, carpet, Bahia, or Dallis grass, or at least 10 pounds of a mixture of these grasses.

(2) Seeding of mixtures of grasses and legumes. (i) At least 7 pounds of either Bermuda, carpet, Bahia, or Dallis grass, or mixtures of these grasses, and also either 5 pounds of lespedeza or 10 pounds of Alyce clover. At least 200 pounds of 16 percent superphosphate (or its equivalent) must be used per acre with this pasture mixture. (Credit will be given for the application of superphosphate if applied in accordance with specifications for practice 1.)

(ii) A mixture must be seeded per acre containing at least 7 pounds of Bermuda, carpet, Bahia, or Dallis grass, or a mixture of these grasses, and 2 pounds of the following winter-growing clovers: White clover, hop clover, Persian clover, Ladino clover, or California bur-clover, or mixtures of these clovers. The clover seed must be inoculated. The land where this pasture mixture is seeded must be fertilized with the following materials per acre: 1 ton of ground limestone (or its equivalent), 500 pounds of 16 percent superphosphate (or its equivalent), and 100 pounds of muriate or sulphate of potash. The phosphate or lime will qualify under practice 1 or 2 if applied in accordance with the specifications.

7. Reseeding depleted pastures with good seed of adapted pasture mixtures—15 cents per pound of seed.

**Specifications.** The following grasses and legumes seeded alone or in mixtures shall be used: Carpet, Dallis, or Bahia grass; White, Persian, hop, Ladino, or

California bur-clover. The mixtures of grasses and legumes outlined in practice 6 will be used. The fertilizer requirements, seed inoculation, and preparation of the land is the same as for practice 6. The producer shall supply sales receipts for the kind and quantity of grass and legume seed used, and such receipts will be required to support the performance records.

8. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.

**Specifications.** Applicable to improved pastures of perennial grasses or perennial grasses and legumes, which must be mowed or chopped at least twice between April 1, 1941, and October 1, 1941, or more often if necessary, to control weeds, shrubs, bushes, etc. The plants mowed or chopped are not to be used for feeding purposes nor sold for any purpose. Bushes and shrubs too heavy to mow shall be removed. All bushes and shrubs must be kept off the pasture.

#### Green Manure and Cover Crops

9. (a) Green manure and cover crops of legumes and winter nonlegumes—\$1.50 per acre.

**Specifications.** Credit will not be given for lespedeza, peanuts, soybeans from which the seed is harvested by mechanical means, or any other crop for which credit is given under any other practice in 1941. All the growth produced must be left on the land or plowed or disked under, and none cut for hay or grazed; if turned under on land subject to erosion, it must be followed by a winter cover crop. The following may qualify: Alyce clover, cowpeas, crotalaria, mung beans, sesbania, beggarweed, rye, oats, and blue lupine. A good stand and good growth must be obtained. A good growth means a growth which, if harvested, would make approximately ¾ ton per acre of air-dry material.

(b) Green manure and cover crops of summer non-legumes—75 cents per acre.

**Specifications.** Only summer non-legumes in orchards or on land from which no crop other than commercial vegetables or commercial potatoes is harvested in 1941 will qualify. A good stand and good growth must be obtained and all the growth produced must be left on the land or plowed or disked under and none cut for hay or grazed. A good growth means a growth which, if harvested, would make approximately 1½ tons of air-dry material per acre.

10. Cowpeas, velvetbeans, Alyce clover, crotalaria, mung beans, or soybeans, interplanted or grown in combination with intertilled row crops—30 cents per acre.

**Specifications.** A good stand and good growth must be obtained and the vines not harvested, and in the case of soybeans the seed not harvested by mechanical means. A good growth means approximately ½ ton per acre of air-dry material (10 pounds green weight for an average plot of 100 square feet).



## Forestry

11. *Planting forest trees on cropland or on farm woodlands* (farm woodlands shall in no event exceed the cropland in the farm).

(a) *Planting at least 650 longleaf pines, slash pines, black locust, or red cedar per acre—\$4.50 per acre.*

(b) *Planting at least 400 longleaf or slash pines per acre—\$3.00 per acre.*

*Specifications.* The plantings shall be protected from fire, and from grazing by hogs, goats, and other livestock which will destroy the seedlings. The plantings shall be cared for in accordance with good tree-culture practice. The survival or stand of living trees shall not be less than 65 percent to qualify. Hardwoods must be cultivated twice during the first growing season so as to prevent competition from weeds and grass.

Trees purchased from a State nursery may qualify under this practice.

12. *Planting forest trees on fenced non-crop open pasture land not considered farm woodlands.*

(a) *Planting at least 650 longleaf pines, slash pines, black locust, or red cedar per acre—\$3.00 per acre.*

(b) *Planting at least 400 longleaf pines or slash pines per acre—\$1.50 per acre.*

*Specifications.* (a) The producer shall furnish a full legal description of his property to accompany his work sheet.

(b) The producer shall furnish prior to any planting, at his expense, aerial or other maps satisfactory to the county committee of the area to be planted. A map shall also be furnished of any interior holdings (giving legal description of any such area) within the fenced area that is not owned by the producer.

(c) All plantings must be done in solid blocks as nearly as possible in the mapped area. On irregularly-shaped plantings, only that acreage which is in blocks will qualify and irregular portions will be disregarded. Irregular blocks of less than 4 acres may be disapproved.

(d) A minimum survival of 65 percent is required.

(e) All planted areas must be protected from damage by sheep and goats.

(f) The planted area must be protected from fire, and all areas not under organized cooperative fire control with the Florida Board of Forestry must meet the following minimum requirements:

(1) Areas comprising less than 40 acres shall be surrounded by a plowed firebreak 8 feet wide, and the area divided into approximately 10-acre blocks by a plowed firebreak 8 feet wide.

(2) Areas comprising 40 acres or more shall be surrounded with a plowed firebreak 16 feet wide, and each 40 acres within such area shall be surrounded by a plowed firebreak 16 feet wide. In addition, the area within each 40-acre block

shall be divided into 4 blocks of approximately 10 acres with a plowed firebreak 8 feet wide.

(3) Clean plowed firebreaks of specified width exposing the mineral subsoil are required. The fire lines shall be as straight as practicable but may deviate because of unusual ground conditions.

(g) All planting and firebreak plowing shall be done in a workmanlike manner and according to good forestry methods.

(h) Trees purchased from a State nursery may qualify under this practice.

## Miscellaneous

13. *Growing a home garden for a landlord, tenant, or sharecropper family on a farm—\$1.50 per garden.*

*Specifications.* The home garden shall be a plot of land not less than one-tenth (0.1) acre, set aside for the entire year for the production of vegetables solely for consumption on the farm. On farms where several families and several garden plots are involved, the garden plots belonging to each family must be identified. The garden must be adequately protected from damage by livestock and poultry and must be planned and cared for in a workmanlike manner. Not less than seven different kinds of vegetables must be produced during the year in the garden. Only one garden practice unit per farm family may be credited.

Sec. 3. *Division of payments and deductions.*—(a) *Payments and deductions for acreage allotments.* (1) The net payment or net deduction computed for any farm with respect to celery, tobacco, peanuts, potatoes, or commercial vegetables shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment: *Provided*, That if any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bed diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection

with celery, tobacco, peanut, potato, and commercial vegetable allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

(b) *Payments in connection with soil-building practices.* The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

(c) *Proration of net deductions.* If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Sec. 4. *Increase in small payments.* The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to \$1.00;

(2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;

(3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:



Amount of payment computed:	Increase in payment
\$1.00 to \$1.99	\$0.40
\$2.00 to \$2.99	.80
\$3.00 to \$3.99	1.20
\$4.00 to \$4.99	1.60
\$5.00 to \$5.99	2.00
\$6.00 to \$6.99	2.40
\$7.00 to \$7.99	2.80
\$8.00 to \$8.99	3.20
\$9.00 to \$9.99	3.60
\$10.00 to \$10.99	4.00
\$11.00 to \$11.99	4.40
\$12.00 to \$12.99	4.80
\$13.00 to \$13.99	5.20
\$14.00 to \$14.99	5.60
\$15.00 to \$15.99	6.00
\$16.00 to \$16.99	6.40
\$17.00 to \$17.99	6.80
\$18.00 to \$18.99	7.20
\$19.00 to \$19.99	7.60
\$20.00 to \$20.99	8.00
\$21.00 to \$21.99	8.20
\$22.00 to \$22.99	8.40
\$23.00 to \$23.99	8.60
\$24.00 to \$24.99	8.80
\$25.00 to \$25.99	9.00
\$26.00 to \$26.99	9.20
\$27.00 to \$27.99	9.40
\$28.00 to \$28.99	9.60
\$29.00 to \$29.99	9.80
\$30.00 to \$30.99	10.00
\$31.00 to \$31.99	10.20
\$32.00 to \$32.99	10.40
\$33.00 to \$33.99	10.60
\$34.00 to \$34.99	10.80
\$35.00 to \$35.99	11.00
\$36.00 to \$36.99	11.20
\$37.00 to \$37.99	11.40
\$38.00 to \$38.99	11.60
\$39.00 to \$39.99	11.80
\$40.00 to \$40.99	12.00
\$41.00 to \$41.99	12.10
\$42.00 to \$42.99	12.20
\$43.00 to \$43.99	12.30
\$44.00 to \$44.99	12.40
\$45.00 to \$45.99	12.50
\$46.00 to \$46.99	12.60
\$47.00 to \$47.99	12.70
\$48.00 to \$48.99	12.80
\$49.00 to \$49.99	12.90
\$50.00 to \$50.99	13.00
\$51.00 to \$51.99	13.10
\$52.00 to \$52.99	13.20
\$53.00 to \$53.99	13.30
\$54.00 to \$54.99	13.40
\$55.00 to \$55.99	13.50
\$56.00 to \$56.99	13.60
\$57.00 to \$57.99	13.70
\$58.00 to \$58.99	13.80
\$59.00 to \$59.99	13.90
\$60.00 to \$185.99	14.00
\$186.00 to \$199.99	( <sup>1</sup> )
\$200.00 and over	( <sup>2</sup> )

<sup>1</sup> Increase to \$200.00.

<sup>2</sup> No increase.

**SEC. 5. Payments limited to \$10,000.** The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Florida shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association

expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

**Sec. 6. Deductions incurred on other farms.**—(a) *Other farms in the same county.* The net deduction computed for any landlord, tenant, or sharecropper under Secs. 1 and 2 shall be deducted from the share of the payment which would otherwise be made for him for performance on any other farms in the county.

(b) *Other farms in Florida.* The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in Florida if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

**SEC. 7. Deduction for association expenses.** There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

**SEC. 8. Conservation materials.** Whenever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials may be furnished by the Agricultural Adjustment Administration to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials are furnished, a deduction shall be made in an amount determined by the Agricultural Adjustment Administration on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials shall be made from payment due the person who obtained the materials on the same or any other farm in the county. In the event the amount of the deduction for materials exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary: *Provided*, That deductions for any deficit will be made insofar as possible from payments computed for other per-

sons on the farm with respect to which such materials were furnished.

**SEC. 9. General provisions relating to payments.**—(a) *Payment restricted to effectuation of purposes of the program.* All or any part of any payment which otherwise would be made to any person under the 1941 Agricultural Conservation Program for the Florida Celery Area or the 1941 Agricultural Conservation Program may be withheld or required to be returned (i) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (ii) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (iii) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 Agricultural Conservation Program for the Florida Celery Area or the 1941 Agricultural Conservation Program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

*Practice and amount to be withheld or refunded*

(1) A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any Government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the Government payment which may be, is being, or has been earned by the tenant or sharecropper: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, there-



by intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control: All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production

of such crop and that he has a financial interest in such crop): The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved: *Provided, however*, Where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

(b) *Idle farms.* No payments, except those for carrying out soil-building practices, shall be made with respect to any farm which is not operated in 1941.

(c) *Failure to carry out erosion-control measures.* No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing

to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

(d) *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection (f) of this section, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(e) *Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.* If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection (e) is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would other-



wise be made to such person in connection with the 1941 program.

(f) *Assignments.* Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the Agricultural Adjustment Administration and unless such assignment is entitled to priority as determined under the instructions issued by the Agricultural Adjustment Administration.

Nothing contained in this subsection (f) shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

(g) *Excess cotton acreage.* Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment under section 344 of the Agricultural Adjustment Act of 1938 for the farm for 1941, and that cotton was not planted in excess of such cotton allotment by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment under section 344 of the Agricultural Adjustment Act of 1938 for the farm for 1941 shall not be eligible for any payment whatsoever on that farm or any other farm under the 1941 Agricultural Conservation Program, the 1941 Agricultural Conservation Program for the Florida Celery Area, the 1941 Naval Stores Conservation Program, or the 1941 Range Conservation Program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment: *Provided*, That any producer will not be considered to have knowingly overplanted the cotton allotment—

(i) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(ii) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for

that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

A notice of the cotton allotment mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(i) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(ii) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment for his farm, he planted a number of acres which exceeded the cotton allotment for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment: *Provided*, That any producer will not be considered to have knowingly overplanted the cotton allotment if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

(h) *Deductions in case of erroneous notice of acreage allotment.* Notwithstanding the deduction provisions of Sec. 1, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage

in excess of the allotment erroneously issued.

#### SEC. 10. Application for payment.—

(a) *Persons eligible to file applications.* An application for payment for a farm may be made by any person for whom, under the provisions of Sec. 3, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

(b) *Time and manner of filing application and information required.* Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

(c) *Application for other farms.* If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Sec. 11. *Appeals.* Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any celery, tobacco, peanut, Irish potato, or commercial vegetable allotment, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such per-



son in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

**SEC. 12. Instructions and forms.** The Agricultural Adjustment Administration shall prepare and issue such instructions and forms as may be required in administering the 1941 program.

**SEC. 13. Definitions.** For the purposes of the 1941 program, unless the context otherwise requires:

#### Officials

(1) *Secretary* means the Secretary of Agriculture of the United States.

(2) *Administrator* means the Administrator of the Agricultural Adjustment Administration.

(3) *Director of the southern division* means the person in charge of the agricultural conservation programs in the Southern Region.

(4) *State committee* means the group of persons designated within the State to assist in the administration of the agricultural conservation programs in Florida.

(5) *County committee* means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in such county.

#### Areas

(1) *Southern division* means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

(2) *Florida celery area* means the following counties: Manatee, Marion, Palm Beach, Sarasota, and Seminole.

#### Farm

*Farm* means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

#### Miscellaneous

(1) *Person* means an individual, partnership, association, corporation, estate, or trust, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(2) *Landlord or owner* means a person who owns land and rents such land to another person or operates such land.

(3) *Sharecropper* means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the crop produced thereon or of the proceeds thereof.

(4) *Tenant* means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon, or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(5) *Cropland* means farm land which in 1940 was tilled or was in regular rotation.

(6) *Commercial orchards* means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on January 1, 1941 (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(7) *Non-crop open pasture land* means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(8) *Special crop acreage allotments, special allotments, or special crops* mean celery, tobacco, peanut, Irish potato, or commercial vegetable acreage allotments or crops.

(9) *Animal unit* means one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent thereof.

**SEC. 14. Authority, availability of funds, and applicability—(a) Authority.** This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, and in connection with the effectuation of the purposes of section 7 (a) of said Act in 1941 the payments provided for herein will be made for participation in the 1941 program.

(b) *Availability of funds.* The provisions of the 1941 program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

(c) *Applicability.* The provisions of the 1941 program contained herein, except Secs. 5 and 9 (a), are not applicable to (1) counties other than Manatee, Marion, Palm Beach, Sarasota, and Seminole, Florida; (2) any department or bureau of the United States Government and any corporation wholly owned by the United States; and (3) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership.

Lands under (3) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as the Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States, which is farmed by private persons, if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the



Federal Farm Mortgage Corporation, unless the Agricultural Adjustment Administration finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

Done at Washington, D. C., this 14th day of January 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 41-319; Filed, January 14, 1941;  
11:08 a. m.]

#### Farm Security Administration.

DESIGNATION OF LOCALITIES IN COUNTY OF STEVENS, STATE OF WASHINGTON, IN WHICH LOANS, PURSUANT TO TITLE I OF THE BANKHEAD-JONES FARM TENANT ACT, MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 23, 1940, loans made in Stevens County, Washington, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with provisions of those rules and regulations. There follow a description of the localities and the determination of value for each of these localities:

*Locality I:* Precincts of Addy, Arden, Blue Creek, Chewelah Nos. 1, 2, and 4, Colville Nos. 1, 2, 3, 4, and 5, Forest Center, Orin, Parker, Valley, and White Lake. Value: \$5,893.

*Locality II:* Precinct of Chewelah No. 3. Value: \$2,856.

*Locality III:* Precincts of Allen, Basin, Bossburg, Boundary, Clayton, Corbet Creek, Cronin, Cummins, Daisy, Doyle, Echo, Evans, First Thought, Flat Creek, Fruitland, Hunters, Kelly Hill, Kettle Falls, Laurier, Loon Lake, Marble, Marcus, Meyers Falls, Middleport, Mill Creek, Narcisse, Northport, Onion Creek, Rice, South Fork, Springdale, Summit, Tum Tum, Walkers Prairie, Wellpinit, and Williams Valley. Value: \$3,831.

Approved January 9, 1941.

[SEAL] C. B. BALDWIN,  
Administrator.

[F. R. Doc. 41-307; Filed, January 13, 1941;  
3:09 p. m.]

#### Rural Electrification Administration.

[Administrative Order No. 550]

#### ALLOCATION OF FUNDS FOR LOANS

JANUARY 3, 1941.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a

loan for the project and in the amount as set forth in the following schedule:

Project designation: Amount  
Oregon 1016B2 Malheur..... \$17,000

[SEAL] ROBERT B. CRAIG,  
Acting Administrator.

[F. R. Doc. 41-308; Filed, January 13, 1941;  
3:09 p. m.]

#### DEPARTMENT OF LABOR.

##### Division of Public Contracts.

REQUEST FOR AN EXEMPTION FROM THE HOUR AND OVERTIME PROVISIONS OF THE PUBLIC CONTRACTS ACT OF CONTRACTS FOR CANNED SEASONAL OR PERISHABLE FRUITS OR VEGETABLES

##### NOTICE OF HEARING

In view of a request presented by the Secretary of War in accordance with the provisions of Section 6 of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Sup. III 35) and Article 601 of Administrative Regulations No. 504 for an exemption from all the provisions of the Public Contracts Act in order to permit canners of canned seasonal or perishable fruits or vegetables during the packing season to work their employees engaged on government contracts more than eight hours in any one day or forty hours in any one week without the payment of time and one-half for overtime, a hearing will be held before me on January 18, 1941, at 10 a. m. in Room 3229, Department of Labor, 14th Street and Constitution Avenue, Washington, D. C., to afford all interested parties the opportunity of showing whether such an exemption is necessary in order not to impair seriously the conduct of government business. Any such exemption, if granted, would have no effect on the obligations of canners under the Fair Labor Standards Act.

Interested parties may be heard either in person or by authorized representatives. Briefs or telegraphic communications may be filed and will be considered if they are received on or before the hearing date. No form for briefs is prescribed, but an original and four copies must be submitted. Notice of intention to appear should be filed not later than January 17, 1941.

January 11, 1941.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 41-320; Filed, January 14, 1941;  
11:15 a. m.]

##### Wage and Hour Division.

NOTICE OF RECONSIDERATION OF A FINDINGS AND DETERMINATION TO CANCEL A SPECIAL CERTIFICATE FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that the Gopher Sportswear Company, Minneapolis, Min-

nesota has applied for and has been granted a reconsideration of the Findings and Determination of December 19, 1940 to cancel retroactively to the first date of violation a special certificate issued to it, effective May 14, 1940. The reconsideration having resulted in a further Findings and Determination not to cancel the certificate but to obtain restitution in lieu thereof for all hand finishers improperly employed as learners under the certificate, the restitution to be in an amount equal to the difference between the wages paid such persons and the minimum regularly applicable, opportunity is here given to any interested party to file a petition for review within fifteen days of the date hereof, this in accordance with § 522.13 (3) of the Learner Regulations.

Signed at Washington, D. C. this 13th day of January 1941.

GUSTAV PECK,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 41-346; Filed January 14, 1941;  
11:35 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5992]

ORDER IN THE MATTER OF PROPOSAL OF COMMERCIAL PACIFIC CABLE COMPANY, MACKAY RADIO AND TELEGRAPH COMPANY, POSTAL TELEGRAPH CABLE COMPANY, R. C. A. COMMUNICATIONS, INC., AND THE WESTERN UNION TELEGRAPH COMPANY TO EXTEND THE APPLICATION OF LOS ANGELES, CALIFORNIA RATES TO INCLUDE ALL POINTS IN LOS ANGELES COUNTY FOR TRAFFIC EXCHANGED BETWEEN SUCH POINTS AND THE HAWAIIAN, GUAM, MIDWAY, AND PHILIPPINE ISLANDS

At a session of the Federal Communications Commission held at its offices at Washington, D. C., on the 10th day of January 1941,

It appearing, that there have been filed with the Commission tariffs containing schedules stating new charges and new classifications, regulations and practices affecting such charges to become effective January 13 and 15, 1941, designated as follows:

Commercial Pacific Cable Company:

F. C. C. No. 2:

6th Revised Page No. 35.  
7th Revised Page No. 35A.  
6th Revised Page No. 36.  
6th Revised Page No. 80A.  
7th Revised Page No. 131.  
7th Revised Page No. 131A.  
6th Revised Page No. 132.  
6th Revised Page No. 182.  
7th Revised Page No. 182A.  
8th Revised Page No. 183.

F. C. C. No. 3:

4th Revised Page No. 37.  
3rd Revised Page No. 40.  
3rd Revised Page No. 43.

Mackay Radio and Telegraph Company, F. C. C. No. 2:

7th Revised Page 91A.  
3rd Revised Page No. 113A.



Mackay Radio and Telegraph Company, F. C. C. No. 2—Continued.  
 9th Revised Page No. 94A.  
 5th Revised Page No. 113B.  
 9th Revised Page No. 133.  
 8th Revised Page No. 152.  
 4th Revised Page No. 170E.  
 Postal Telegraph Cable Company:  
 F. C. C. No. 42:  
 13th Revised Page No. 25.  
 10th Revised Page No. 26.  
 10th Revised Page No. 49.  
 F. C. C. No. 51:  
 2nd Revised Page No. 18.  
 F. C. C. No. 57:  
 3rd Revised Page No. 7.  
 4th Revised Page No. 8.  
 3rd Revised Page No. 10.  
 R. C. A. Communications, Inc.:  
 F. C. C. No. 15:  
 6th Revised Page No. 390.  
 F. C. C. No. 39:  
 4th Revised Page No. 66.  
 The Western Union Telegraph Company:  
 F. C. C. No. 173:  
 4th Revised Page No. 22.  
 6th Revised Page No. 29A.  
 F. C. C. No. 180:  
 2nd Revised Page No. 29A.  
 3rd Revised Page No. 39A.

*It is ordered*, That the Commission, on its own motion, without formal pleading enter upon a hearing concerning the lawfulness of the charges and of the regulations, classifications and practices stated in said schedules contained in said tariffs.

It further appearing, that said schedules make certain changes in the charges for service between all points in Los Angeles County and the above-mentioned Islands, whereas no corresponding changes are made with respect to the charges applicable to service between points in Los Angeles County and transpacific points other than the Islands mentioned and no corresponding changes are made with respect to the charges applicable to service between transpacific points and any other points on the Pacific Coast now served by said carriers; and

It further appearing, that the rights and interests of the public may be injuriously affected thereby, and it being the opinion of the Commission that the effective dates of said schedules contained in said tariffs should be postponed pending said hearing and decision thereon;

*It is further ordered*, That the operation of said schedules contained in said tariffs be suspended and that the use of the charges, classifications, regulations and practices therein stated be deferred until the 13th day of April 1941, unless otherwise ordered by the Commission, and no change shall be made in such charges, classifications, regulations and practices during said period of suspension, unless authorized by special permission of the Commission.

*It is further ordered*, That the charges and the classifications, regulations, and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule, until this investigation and suspension proceeding has been disposed of or until the period of suspension has elapsed, unless authorized by special permission of the Commission.

*It is further ordered*, That a copy of this order be filed with said schedules in

the office of the Federal Communications Commission, that a copy thereof be posted in the office of the Secretary of the Commission, that a copy be published in the FEDERAL REGISTER, and that copies be forthwith served upon the carriers parties to such schedules, and that said carriers be, and they are hereby, made parties respondent to this proceeding.

*It is further ordered*, That this proceeding be, and the same is hereby, assigned for hearing at 10 a. m. on the 17th day of February 1941, at the office of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 41-316; Filed, January 14, 1941;  
10:56 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-728]

IN THE MATTER OF THE FOSTORIA PRESSED  
STEEL CORPORATION COMMON STOCK, NO  
PAR VALUE

### ORDER DENYING APPLICATION FOR DELISTING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January A. D. 1941.

The Fostoria Pressed Steel Corporation having made application to the Commission pursuant to section 12 (d) of the Securities Exchange Act of 1934 for permission to withdraw 22,405 shares of its common stock, no par value, from listing and registration on the Cleveland Stock Exchange; and

A hearing having been held on said application, the trial examiner having filed an advisory report, the Commission having considered the record, and having this day filed its Findings and Opinion herein, and having found that the application fails to comply with the requirements of section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 thereunder;

*It is ordered*, That the application be, and it hereby is, denied without prejudice.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-340; Filed, January 14, 1941;  
11:27 a. m.]

[File No. 54-24]

IN THE MATTER OF STANDARD GAS AND  
ELECTRIC COMPANY, AND SAN DIEGO GAS  
& ELECTRIC COMPANY

### SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An order having been entered by the Commission on August 22, 1940 approving, subject to certain conditions, a Plan filed by Standard Gas and Electric Company pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935; and further orders having been entered on September 27, 1940, October 29, 1940 and November 29, 1940, permitting the extension of the date of expiration of the offer of exchange set forth in said Plan;

Said Plan having provided for the divestment by Standard Gas and Electric Company of its securities of San Diego Gas & Electric Company by offering to holders of the notes and debentures of the former company, the privilege of exchanging each \$1,000 principal amount thereof for 58 shares of common stock of San Diego Gas & Electric Company; and said Plan having further provided that said exchanges would not become effective until at least \$14,321,500 principal amount of said notes and debentures were deposited for the purpose of exchange in accordance with said Plan: *Provided, however*, That Standard Gas and Electric Company might at its election declare the Plan effective when not less than \$8,567,750 principal amount of said notes and debentures shall have been deposited;

An amendment to said Plan having been filed December 23, 1940, providing, in substance, that: (1) the Plan shall become effective on January 15, 1941, irrespective of the amount of the notes and debentures on deposit on that date; (2) the holders of notes and debentures who had theretofore deposited notes and debentures pursuant to said Plan may withdraw their notes and debentures by delivering their certificates of deposit (received by them therefor) on or prior to January 31, 1941; (3) the offer of exchange under said Plan shall continue until March 15, 1941, which date may be extended from time to time by Standard Gas and Electric Company subject to the approval of this Commission, unless prior thereto Standard Gas and Electric Company shall have disposed of, or have a commitment for the disposal of all shares of said common stock of San Diego Gas & Electric Company.

A public hearing having been held on said amendment after appropriate notice, and the Commission having duly considered the record and made its findings:

*It is ordered*, That said Plan, as amended, be and the same hereby is approved as necessary to effectuate the provisions of section 11 (b) of the Act and fair and equitable to the persons affected thereby, subject to the following condition:

That when all expenses incurred in connection with the transactions concerned with the said Plan shall be actually paid, Standard Gas and Electric Company shall file a detailed statement of such expenses showing the names of persons or entities to whom such payments were made, the amounts of such payments, the amounts charged and a



detailed description of the services rendered for which such payments were made.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-339; Filed, January 14, 1941;  
11:26 a. m.]

[File No. 70-209]

IN THE MATTER OF MANUFACTURERS GAS  
COMPANY AND COLUMBIA GAS & ELECTRIC  
CORPORATION

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

The above-named persons having filed applications pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b) and 10 thereof, regarding the issue and sale by Manufacturers Gas Company, a subsidiary of Columbia Gas & Electric Corporation, and the acquisition by Columbia Gas & Electric Corporation of a maximum of \$120,000 principal amount of unsecured, 11-months' notes bearing an interest rate of 3%; and

Said application having been filed on December 5, 1940, and certain amendments having been filed thereto, the last of said amendments having been filed on January 9, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-8 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The above-named parties having requested that the Commission advance the effective date so that said applications will become effective as soon as possible in order to provide funds to complete a program of construction now in progress; and

The Commission finding that the proposed issue and sale of securities by Manufacturers Gas Company satisfies the requirements of section 6 (b) of the Act and that said issue and sale should be exempted from the provisions of section 6 (a) of said Act, subject to the terms and conditions prescribed by Rule U-9; and the Commission further finding that with respect to the application of Columbia Gas & Electric Corporation under Section 10 of said Act that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act and that the transaction involved has the tendencies required by section 10 (c) (2) of said Act, and being satisfied that the effective date of such applications, as amended, and the date of granting such applications, as amended, should be advanced;

It is hereby ordered, Pursuant to said Rule U-8 and the applicable provisions

of said Act, and subject to the terms and conditions prescribed by Rule U-9, that the aforesaid applications, as amended, be, and hereby are, granted forthwith.

By the Commission. Commissioner Healy dissenting in the action with respect to the applications for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-341; Filed, January 14, 1941;  
11:27 a. m.]

[File No. 70-226]

IN THE MATTER OF THE OHIO POWER  
COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party or parties; and

Notice is further given that any interested person may, not later than January 29, 1941, at 4:30 P. M., E. S. T., or 1:00 P. M., E. S. T., if such date be a Saturday, request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-8 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Ohio Power Company, a subsidiary of American Gas and Electric Company, a registered holding company, proposes to lend on open account an amount not to exceed \$140,000 with interest at 5% per annum to Beech Bottom Power Company, Inc., an associate company, 50% of whose outstanding capital stock is owned by said The Ohio Power Company. The borrowed funds are to be added to the working capital of said Beech Bottom Power Company, Inc.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-338; Filed, January 14, 1941;  
11:26 a. m.]

[File No. 812-93]

IN THE MATTER OF UNITED STATES FOIL  
COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An application having been duly filed by the above named applicant under and pursuant to the provisions of section 3 (b) (2) of the Investment Company Act of 1940, for an order declaring it to be excepted from the provisions of said Investment Company Act on the ground that the applicant is primarily engaged through its majority owned subsidiary, the Reynolds Metals Company, in a business other than that of investing, reinvesting, owning, holding or trading in securities;

It is ordered, That a hearing on the matter of the application of the above named applicant under and pursuant to section 3 (b) (2) of the Investment Company Act of 1940 be held on January 27, 1941, at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Building, 1778 Pennsylvania Avenue Northwest, Washington, D. C. On such day the hearing room clerk in Room 1102A will advise the interested parties where such hearing will be held.

It is further ordered, That Charles S. Moore, Esq., or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under Sections 41 and 42 of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-336; Filed, January 14, 1941;  
11:26 a. m.]

[File No. 814-1]

IN THE MATTER OF FOUNDATION PLAN,  
INCORPORATED

NOTICE OF AND ORDER FOR HEARING<sup>1</sup>

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of section 9 (b) of the Investment Company Act of

<sup>1</sup> Pursuant to section 17 (b), Investment Company Act of 1940.



1940 for an order exempting it from the provisions of section 9 (a) of said Act; and

The Commission having granted to such applicant a temporary exemption from the provisions of section 9 (a) pending the disposition of the application for permanent or further exemption from the provisions of such Section;

*It is ordered*, That a hearing on the matter of the permanent or further exemption of the above named applicant from the provisions of section 9 (a) of the Investment Company Act of 1940 be held on January 24, 1941, at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested parties where such hearing will be held;

*It is further ordered*, That Charles S. Moore, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and any other person or persons concerned or to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-334; Filed, January 14, 1941;  
11:25 a. m.]

[File No. 814-2]

IN THE MATTER OF WILLIAM H. WARD  
NOTICE OF AND ORDER FOR HEARING<sup>1</sup>

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of section 9 (b) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 9 (a) of said Act; and

The Commission having granted to such applicant a temporary exemption from the provisions of section 9 (a) pending the disposition of the application for permanent or further exemption from the provisions of such Section;

*It is ordered*, That a hearing on the matter of the permanent or further ex-

<sup>1</sup> Pursuant to section 17 (b), Investment Company Act of 1940.

emption of the above named applicant from the provisions of section 9 (a) of the Investment Company Act of 1940 be held on January 24, 1941, at 10:10 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested parties where such hearing will be held;

*It is further ordered*, That Charles S. Moore, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under Sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and any other person or persons concerned or to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-335; Filed, January 14, 1941;  
11:25 a. m.]

[File No. 814-3]

IN THE MATTER OF MARY M. BODNER  
NOTICE OF AND ORDER FOR HEARING<sup>1</sup>

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of section 9 (b) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 9 (a) of said Act; and

The Commission having granted to such applicant a temporary exemption from the provisions of section 9 (a) pending the disposition of the application for permanent or further exemption from the provisions of such Section;

*It is ordered*, That a hearing on the matter of the permanent or further exemption of the above named applicant from the provisions of section 9 (a) of the Investment Company Act of 1940 be held on January 24, 1941, at 10:20 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested parties where such hearing will be held;

*It is further ordered*, That Charles S. Moore, Esq., or any other officer or officers of the Commission designated by it

for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and any other person or persons concerned or to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-333; Filed, January 14, 1941;  
11:25 a. m.]

[File No. 814-4]

IN THE MATTER OF JOHN H. CROCKETT

NOTICE OF AND ORDER FOR HEARING<sup>1</sup>

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of section 9 (b) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 9 (a) of said Act; and

The Commission having granted to such applicant a temporary exemption from the provisions of section 9 (a) pending the disposition of the application for permanent or further exemption from the provisions of such Section;

*It is ordered*, That a hearing on the matter of the permanent or further exemption of the above named applicant from the provisions of section 9 (a) of the Investment Company Act of 1940 be held on January 24, 1941, at 10:30 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested parties where such hearing will be held;

*It is further ordered*, That Charles S. Moore, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and any other person or persons concerned or to



any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-337; Filed, January 14, 1941;  
11:26 a. m.]

[File No. 814-5]

IN THE MATTER OF WELLINGTON FOUNDATION, INC.

NOTICE OF AND ORDER FOR HEARING<sup>1</sup>

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of section 9 (b) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 9 (a) of said Act; and

The Commission having granted to such applicant a temporary exemption from the provisions of section 9 (a) pending the disposition of the application for permanent or further exemption from the provisions of such section;

It is ordered, That a hearing on the matter of the permanent or further exemption of the above named applicant from the provisions of section 9 (a) of the Investment Company Act of 1940 be held on January 24, 1941, at 10:40 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested parties where such hearing will be held;

It is further ordered, That Charles S. Moore, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is

<sup>1</sup>Pursuant to section 17 (b), Investment Company Act of 1940.

hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and any other person or persons concerned or to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-332; Filed, January 14, 1941;  
11:25 a. m.]

IN THE MATTER OF JOHN O'BRIEN, DOING BUSINESS AS JOHN O'BRIEN AND COMPANY, 90 STATE STREET, ALBANY, NEW YORK

MEMORANDUM OPINION AND ORDER  
SUSPENDING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of Jan., A. D. 1941.

Appearances: Arthur G. Klein, of the New York Regional Office, for the Trading and Exchange Division.

This is a proceeding under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the broker-dealer registration of John O'Brien, doing business as John O'Brien and Company, 90 State Street, Albany, New York, should be revoked or suspended.

The registrant did not appear personally or by counsel. A copy of the order instituting this proceeding was sent by registered mail to John O'Brien at the business address and residence set forth in the registration statement. Both registered letters were returned to the Commission bearing the notation, "Unclaimed." A copy of the order was published in the FEDERAL REGISTER, Volume 5, Issue No. 205, for October 19, 1940, at page 4160.

The trial examiner has found that the registrant pleaded guilty and was convicted on two indictments in the State

of New York in the County Court for the County of Montgomery on November 8, 1939, and in the County Court for the County of Herkimer on January 15, 1940, respectively, which indictments were for felonies involving the purchase or sale of securities while acting as a broker or dealer, and that on September 13, 1940, the Supreme Court of the State of New York, County of Albany, permanently enjoined the registrant from engaging in the securities business in the State of New York. On an independent review of the record, we adopt these findings of the trial examiner.

Section 15 (b) of the Securities Exchange Act of 1934 provides, in part, that the Commission shall, after appropriate notice and opportunity for hearing, deny, revoke, or suspend the registration of any broker or dealer if it finds that such denial, revocation, or suspension of registration is in the public interest and that such broker or dealer has been convicted of any felony or misdemeanor involving the purchase or sale of any security or arising out of the conduct of the business of a broker or dealer, or is permanently or temporarily enjoined for engaging in, or continuing any conduct or practice in connection with the purchase or sale of any security. Inasmuch as the registrant did not actually receive the notice sent by registered mail, we find that it is appropriate in the public interest to suspend rather than revoke registration. This suspension will continue until final disposition of the question of permanent revocation if and when the registrant applies to be heard.

It is therefore ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of John O'Brien, doing business as John O'Brien and Company, as a broker and dealer, be and it is hereby suspended until further order of the Commission.

By the Commission (Chairman Frank, Commissioners Healy, Eicher, Henderson, and Pike).

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-342; Filed, January 14, 1941;  
11:27 a. m.]